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THE

POLITICIAN's CREED;

OR,

POLITICAL EXTRACTS:

BEING

AN ANSWER TO THESE QUESTIONS,

What is the beſt Form of Government?

AND

What is the beſt Adminiſtration of a Government?

BY A LOVER OF SOCIAL ORDER.

VOL. III.

PHILOSOPHY conſiſts not
In airy ſchemes, or idle ſpeculations:
The rule and conduct of all ſocial life
Is her great province. Not in lonely cells
Obſcure ſhe lurks, but holds her *heav'nly light*
To ſenates and to kings, to guide her councils,
And teach them to reform and bleſs mankind.

THOMSON.

LONDON:

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1799.

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VOL. III.

LONDON:

CONTENTS

OF

THE THIRD VOLUME.

Page

SECT. XV*.

On the Cultivation of Waſte Lands 209

SECT. XVI.

On Population 217

SECT. XVII.

Of Criminal Juriſprudence 231

SECT. XVIII.

The ſame Subject continued, but placed in another point of view 253

* In order to render the ſize of the volumes uniform, the diviſion of the third volume was made at this ſection, but it is ſo contrived that the ſecond and third volumes, if wiſhed, may be bound up in one.

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CONTENTS.

SECT. XIX. Page

The ſame Subject conſidered practically 270

SECT. XX.

Penitentiary, or Bettering-houſes 297

SECT. XXI.

Employment of Convicts 302

SECT. XXII.

Tranſportation 314

SECT. XXIII.

Prevention of Crimes 320

SECT. XXIV.

Police 323

SECT. XXV.

Public Houſes 337

SECT. XXVI.

Licences 345

SECT. XXVII.

Receivers 349

SECT.

SECT. XXVIII. Page

Insurances, &c. 368

SECT. XXIX.

Coining 389

SECT. XXX.

Begging 430

SECT. XXXI.

Public Eſtabliſhment for the Poor 436

SECT. XXXII.

Sir Benjamin Thomſon's Account of the Eſtabliſhment at Munich 455

SECT. XXXIII.

On Quack Medicines 475

SECT. XXXIV.

On Juſtice Adminiſtered to the Poor 480

SECT. XXXV.

Of Slavery 483

SECT. XXXVI.

The wretched Condition of Slaves 489

CONTENTS.

SECT. XXXVII. Page

In what Manner the Condition of Slaves might be rendered more ſupportable 496

SECT. XXXVIII.

Slavery is entirely repugnant to Humanity, Reaſon, and Juſtice 506

PART III.

POLITICAL DISQUISITIONS

ON

THE ADMINISTRATION

OF

GOVERNMENTS,

CONTINUED.

PART III.

POLITICAL DISQUISITIONS

ON

THE ADMINISTRATION

OF

GOVERNMENTS,

CONTINUED.

SECT. XV.

ON THE CULTIVATION OF WASTE LANDS.

THERE are few things in which the lower claſſes of people appear to have miſtaken their intereſt ſo materially as in their uniform oppoſition to the encloſure of waſte lands.—A prejudice has long been entertained by the peaſantry, that the encloſure of waſte lands is to rob them of a right, and unfeelingly to deprive them of a ſupport, which has been claimed as an inheritance by their anceſtors, and immemorially enjoyed by them, without jealouſy or moleſtation; and ſo deeply is this ſentiment ingraſted, that the man who propoſes to apply for an act of parliament to enable him to take in a common, is looked upon by the village with an eye of hatred and ſuſpicion.

It may not be totally unprofitable to conſider the foundation of this prejudice, and attempt to diſcover whether it be truth or fallacy.—I ſhall endeavour to anſwer one or two of the principal objections, and afterwards make ſome general obſervations on the ſubject.

I. In the firſt place, they object, that if a common be taken in, and each man had *fairly* and *equitably* his portion, when that portion be divided among his ſons, and among his ſons' ſons, their reſpective quota becomes almoſt annihilated: whereas they might each of them have fed their cow or their ſheep, without any diſturbance to the lateſt poſterity.

In reply to this, it may be obſerved, that a common CAN feed but a certain number of ſheep, oxen, &c. &c. and that therefore, though each of theſe ſons, and their ſons' ſons, have the liberty of putting on his portion, that portion muſt diminiſh, as the number of thoſe who claim the privilege increaſe, and conſequently approximate to annihilation, not ſooner when encloſed than when common.

There is another claſs of people, whoſe voices by the bye would have very little influence in a debate on the ſubject, whom it may be ſomewhat difficult to convince that they receive any benefit from the encloſure of waſte lands; I mean thoſe few who live by the ſide of a common, without having a foot of land which they may call their own, but have a privilege (though probably by courteſy) of feeding a cow or a ſheep, and who might receive no portion of land from any encloſure.

The

The moſt obvious truth reſpecting the encloſure and cultivation of waſte lands is this: that they are indiſputably rendered *more productive on the whole*; and from this circumſtance, many collateral advantages are derived, which, however certain, may not perhaps appear very evident, without ſome further inveſtigation.

I. *THE RENT OF LAND WOULD BE CHEAPER.*

The dearneſs of a commodity always bears ſome relation to its ſcarcity; it is the caſe with encloſed lands; and nobody will diſpute but that in England waſte lands bear a very conſiderable proportion to thoſe which are encloſed *.—If many of the lands which at preſent are encloſed, were to be deprived of their fences and turned into commons, thoſe which remained would immediately procure a higher rent; if, on the contrary, many of thoſe which are at preſent common, were to be encloſed, there muſt be a proportionate fall of rent.

* From a late computation of Sir John SINCLAIR, it ſeems, that in Great Britain are about 22,351,000 acres of waſte land; that, reckoning an annual increaſe of nine ſhillings an acre, the annual rent would amount to 10,057,950*l.* and on a ſuppoſition that the yearly produce *per* acre would be 1*l.* 7*s.* *per* acre, or three rents, it would be worth 30,075,850*l.* *per ann.* to the community. Vide note *, page 88.

II. *THE PRICE OF LABOUR WOULD INCREASE.*

Wages always increaſe in proportion to the demand for labourers, and the demand for labourers increaſes with the increaſe of the fund which is deſtined for the payment of thoſe labourers.—" *The revenue which is* " *over and above what is neceſſary for the maintenance, and* " *the ſtock which is over and above what is neceſſary for* " *the employment of maſters* *, *are the two funds deſtined* " *for the payment of wages*;" the cultivation of waſte lands would increaſe theſe funds, and conſequently increaſe the price of labour.

It ſeems evident too, that more wages muſt be given to labourers, becauſe more land would require to be cultivated, and there would be leſs competition of labourers, particularly as each man would be employed in the cultivation of his own portion of ground; ſo that inſtead of being under the neceſſity of ſeeking maſters, and being at their mercy for the quantity of wages, maſters would be under the neceſſity of ſeeking labourers, and conſe-

* *Wealth of Nations.*

quently

quently would increaſe that quantity by bidding againſt each other; therefore thoſe perſons who live by the ſide of a common, and make a little money by keeping a cow, &c. &c. would now receive employment, and liberal wages for that employment; and not only that, but theſe liberal wages would buy a greater quantity, even in proportion to their increaſe, than they would have done before; in other words, the ſame wages will now buy a greater quantity of corn than before, becauſe corn would be more plentiful.

III. *POPULATION WOULD LIKEWISE INCREASE.*

It is juſtly remarked, that as the cultivation of waſte land requires an increaſe of labourers, theſe labourers muſt either be drawn from the country or from towns; that as the former cannot ſupply them, the latter muſt.

But here it may be obſerved, that if neither of theſe were overſtocked before, they will not be able conveniently to ſpare them; there will conſequently be a ſcarcity of labourers—wages will be high—and from this circumſtance

ſtance *population* will always increaſe; the cultivation of waſte lands would operate like the ſettlement of a new colony: and in no country does the increaſe of population bear any proportion to that in a new colony*.—"*The liberal reward of labour always encourages marriage,* "*and joined to the plenty and cheapneſs of land, the la-* "*bourers are ſoon induced to leave their maſters, and to* "*reward with equal liberality other labourers, who ſoon* "*leave them for the ſame reaſon that they left their firſt* "*maſters; the children are well fed and properly taken care* "*of, and when they are grown up, the value of their la-* "*bour greatly overpays their maintenance* †."

This cauſe, namely, the high price of labour, would operate with equal effect in towns and in the country: men would not leave the former for the latter, unleſs they were better paid for it; and they would be better paid for it on account of the ſcarcity of labourers; an immediate competition between the country maſters and the town maſters would enſue; the conſequence of

* It appears that the number of inhabitants in the United States of America has nearly doubled itſelf within theſe twenty years, notwithſtanding the war. From the laſt cenſus, taken by order of Congreſs in the year 1791, it appears that the population amounted to 3,925,253. Vide *Morſe's Am. Geo.*

† *Wealth of Nations.*

which,

which, as has been before obſerved, would be an increaſe of wages—an increaſe of population—with an increaſe of proſperity.—The encloſure of all the waſte lands in this kingdom (or of thoſe which are worth cultivation) might perhaps be a temporary check upon manufactures, but could not poſſibly be of long duration; employments and high wages will always attract and even create labourers.

WE HAVE NOW TO CONGRATULATE OUR COUNTRY ON THE LATE ESTABLISHMENT OF A BOARD OF AGRICULTURE, THE PRESIDENT OF WHICH IS SIR JOHN SINCLAIR, WHOSE PATRIOTIC EXERTIONS ENTITLE HIM TO THE WARMEST PRAISES OF HIS FELLOW CITIZENS, AND OF THE WORLD AT LARGE. — HE HAS BROUGHT A BILL INTO PARLIAMENT FOR A GENERAL ENCLOSURE, THE ADVANTAGES OF WHICH ARE SO OBVIOUS, THAT WE SHOULD BE THUNDER-STRUCK SHOULD PARTY SPIRIT BE ABLE TO REJECT IT!

A POPULOUS NATION IS A GREAT NATION, FROM ITS POWER IN RESISTING CONQUEST, AND FROM ITS ABILITY TO CARRY ON OFFENSIVE WAR.—THE POPULATION, AS WE HAVE SEEN, DEPENDS

UPON THE FOOD RAISED; THEREFORE TO INCREASE THIS LAST SHOULD BE THE OBJECT OF EVERY WISE GOVERNMENT*.

* Whether POPULATION, as it promotes the *grandeur* of a nation, increaſes in an equal ratio its *happineſs*?—will be the object of conſideration in the next chapter. This queſtion was *firſt* ſtarted by the ingenious and learned Mr. TOWNSEND, in his *Diſſertation on the Poor Laws*, and merits the deepeſt attention of the politician.

SECT.

SECT. XVI.

ON POPULATION.

It has been ſaid that the riches of a country conſiſt in the multitude of its inhabitants; in other words, that populouſneſs is the cauſe of happineſs: I am diſpoſed to think that ſometimes the direct inverſe of this propoſition is true.—No doubt rich and flouriſhing countries are in general populous; but this only proves that its inhabitants are ſtrongly impelled to early marriages, from the great probability of being able to maintain a family without difficulty; ſo that the populouſneſs is the *effect*, and not the cauſe, of this proſperity.—The object of the preſent eſſay, is to notice the effects of population when rendered as intenſe as poſſible, to prove that populouſneſs may become exceſſive, and to point out the remedies that muſt be adopted to counteract the exceſs.

We may form ſome idea of the rapidity with which inhabitants increaſe, by adverting to what has lately taken place in a country in which the regeneration of manners and inſtitutions has been far from complete. Between the years 1774 and 1782, notwithſtanding con-

ſiderable emigrations from Connecticut to Vermont, to Suſquehannah, and other places; notwithſtanding the loſs of life occaſioned by a ſeven years bloody war; it was found, from an actual cenſus of the inhabitants, taken at theſe two periods, that the population of New England increaſed from 197,856 to 209,150, and it is to be obſerved that no importation of foreigners took place during this time, in conſequence of the war *. If leſs than two hundred thouſand men, notwithſtanding ſeveral accidental impediments, produced an increaſe of more than 10,000, in ſo ſhort a ſpace of time as ſeven years, we may judge of the increaſe which nine hundred millions, the preſent population of the world, would produce in a ſtate of ſociety exempt from theſe hindrances to marriage.—It muſt be evident that the period might arrive when the populouſneſs would be exceſſive.

If we examine the opinions of ancient writers on political œconomy, if we refer to the inſtitutions and manners of ancient nations, we ſhall find that too great populouſneſs was an evil, of which they not only foreſaw the poſſibility, but againſt which they had already pro-

* Morſe's American Geography, 8vo. edit. p. 144.

vided

vided a remedy.—In *China*, at the remoteſt period to which their hiſtory extends, we learn, that parents either deſtroyed their infant children, or exported from the country their adult daughters *.—In the iſland *Formoſa*, women were forbidden, by the religion of the country, to cohabit with men before the age of thirty-five.—If they proved pregnant before that age, the prieſteſs was ordered by the magiſtrate to procure abortion †.—In the different ſtates of *Greece*, there ſeems to have been an anxiety to keep the populouſneſs at a certain ſtandard; the laws took care that the people ſhould never exceed or fall ſhort of the preciſe number which the produce of the earth would ſupport.—The propagation of the ſpecies was encouraged or diſcouraged by honours, ſhame, and admonition, exactly as circumſtances required ‡.—PLATO, in his republic, expreſsly

* See Dampier's Voyage, tom. ii. p. 41.

† Recueil des Voyages qui ont ſervi a l'etabliſſement de la compagnie des Indes, tom. v. part 1. 182—188.

‡ In the republics of Greece, where the territory was ſmall and proſperity great, as was natural, the number of citizens greatly augmented, and became a burthen to the ſtate; therefore they inceſſantly formed *colonies*; they even hired themſelves out as *warriors*, as the Swiſs do at the preſent day; indeed nothing was neglected to prevent the increaſe of birth. The Gauls, who were in exactly the ſame predicament, did exactly the ſame. MONTESQUIEU, tom. iii. p. 16.

limits the number of marriages *.—ARISTOTLE says, that, if the laws of the country forbid infanticide, adults must be prevented from engendering beyond a certain number.—If they exceed the number defined by the law, he recommends the procuring abortion.

The Papian and Julian laws, made by AUGUSTUS for the express purpose of encouraging marriage and punishing celibacy †, were repealed or modified by CONSTANTINE ‡.—Theodosius the younger abolished the decimary laws, which granted certain advantages to parents, in proportion to the number of their children ‖. The Papian law recommended second marriages; JUSTINIAN rewarded those who did not marry a second time §.

It appears at first sight singular, that Switzerland, the government of which is so much more perfect than that of the petty German princes, should yet imitate their conduct in letting out soldiers for hire.—The reason appears to be, that they do it for the purpose of ridding

* Lib. V. de Repub.

† See the speech of Augustus, at the promulgation of this law, as recorded by Dion. lib. XVI.

‡ Leg. unic. cod. Theod. de infirm. pæn. cælib. & orbit.

‖ Leg. II. & III. cod. Theod. de jur. lib.

§ Nov. 127. ch. III. Nov. 118. ch. V.

themselves

themſelves of the redundancy of people, to the propagation of whom their free and equal laws are ſo favourable.

In the South Seas there is an iſland, which from the firſt diſcoverer is called *Juan Fernandes*.—In this ſequeſtered ſpot, John FERNANDO placed a colony of goats, conſiſting of one male, attended by his female.—This happy couple finding paſture in abundance, could readily obey the firſt commandment, to increaſe and multiply, till in proceſs of time they had repleniſhed their little iſland.—In advancing to this period they were ſtrangers to miſery and want, and ſeemed to glory in their numbers: but from this unhappy moment they began to ſuffer hunger; yet continuing for a time to increaſe their numbers, had they been endued with reaſon, they muſt have apprehended the extremity of famine.—In this ſituation the weakeſt firſt gave way, and plenty was again reſtored.—Thus they fluctuated between happineſs and miſery, and either ſuffered want or rejoiced in abundance, according as their numbers were diminiſhed or increaſed; never at a ſtay, yet nearly balancing at all times their quantity of food.—This degree of æquipoiſe was from time to time deſtroyed, either

by

by epidemical diſeaſes, or by the arrival of ſome veſſel in diſtreſs.—On ſuch occaſions their numbers were conſiderably reduced; but to compenſate for this alarm, and to comfort them for the loſs of their companions, the ſurvivors never failed immediately to meet returning plenty.—They were no longer in fear of famine: they ceaſed to regard each other with an evil eye; all had abundance, all were contented, all were happy:—Thus, what might have been conſidered as misfortunes, proved a ſource of comfort; and, to them at leaſt, *partial evil* was *univerſal good.*

When the Spaniards found that the Engliſh privateers reſorted to this iſland for proviſions, they reſolved on the total extirpation of the goats, and for this purpoſe they put on ſhore a greyhound dog and bitch *.—Theſe in their turn increaſed and multiplied, in proportion to the quantity of food they met with; but in conſequence, as the Spaniards had foreſeen, the breed of goats diminiſhed.—Had they been totally deſtroyed, the dogs likewiſe muſt have periſhed.—But as many of the goats retired to the craggy rocks, where the dogs could never follow them, deſcending only for ſhort intervals to feed with fear and circumſpection in the vallies, few of theſe,

* Ulloa, B. ii. C. 4.

beſides

beſides the careleſs and the raſh, became a prey; and none but the moſt watchful, ſtrong, and active of the dogs could get a ſufficiency of food.—Thus a new kind of balance was eſtabliſhed.—The weakeſt of both ſpecies were among the firſt to pay the debt of nature; the moſt active and vigorous preſerved their lives *.

Whenever the period of exceſſive populouſneſs arrives in any particular country, unleſs the inhabitants themſelves correct the evil, it will itſelf produce a remedy; that is to ſay, certain cauſes of deſtruction will neceſſarily ariſe.—Theſe are peſtilence, famine, and internal warfare, or a conteſt between man and man for the mere neceſſaries of life.—The inhabitants themſelves may prevent the neceſſity of the exiſtence of theſe dreadful evils by different methods, but theſe are only temporary and palliative expedients.

1. One of the *temporary expedients* is, THE PERFECT CULTIVATION OF EVERY INCH OF GROUND.—In fine, the inhabitants of an over-populated country muſt

* Vide the Rev. Mr. TOWNSEND's *Diſſertation on the Poor Laws*, page 39; where theſe remarkable circumſtances are recorded, and a train of moſt excellent arguments adduced reſpecting the evils ariſing from over-population. As theſe laws are to undergo *reviſion* in parliament, we ſhall omit in this edition to treat on them.

not loſe a ſingle inch of ground; their ſole ſtudy muſt be to make two ears of corn grow where only one grew before: poſſibly, by having their labour and their ingenuity always directed to this one object, they may increaſe that power which the earth poſſeſſes, of producing nutritive matter to an almoſt incredible extent, and make to grow twenty ears of corn where only one grows at preſent.

However, whether the matter be puſhed to this extreme or not, it is evident that all theſe means of increaſing the production of nutritive matter, and preventing its waſte when produced, are neceſſarily *finite* in their operation, and that, if the original cauſes which produced the over-population continue to exiſt and to operate, the evil will, when all theſe means are exhauſted, ſtill exiſt, and at length remedy itſelf by famine, peſtilence, or war.

II. Another *palliative expedient*, in caſe of over-population, is THE ABSENCE OF EVERY KIND OF LUXURY.—No member of the community muſt be ſuffered to conſume more than is barely neceſſary for his ſubſiſtence.—Some of the inſtitutions of the Chineſe againſt luxury are worthy of notice.—Our anceſtors, ſaid an emperor of the family of TANG, held this maxim, that

if

if a ſingle individual led an idle life, ſome other perſon muſt inevitably feel the conſequences, muſt either ſtarve or go naked *.—The third emperor of the 21ſt dynaſty, being preſented with ſome diamonds, a mine of which had been diſcovered, inſtantly returned them, and ordered the mine to be cloſed, not chooſing to have the labour of his people directed to an object that would neither furniſh them with food nor clothing †.—Our luxury is ſo great, ſaid KIAYVENTO, that many people are employed in ornamenting ſhoes.—If many perſons are employed in making clothes for one man, many men muſt go naked.—If only one man tills the earth, and nine conſume its productions, without labouring at all, it follows that many men muſt ſtarve ‡.—In conſequence of inſtitutions, founded on ſuch principles as theſe, luxury is almoſt annihilated in China: when a man marries, he allows his wife a quantity of rice for food, and ſome raw cotton to be worked into clothing, while two or three mats conſtitute the whole furniture of his houſe.

There is no doubt but that the entire abſence of luxury, as well as the entire cultivation of the earth, would

* Du Halde, t. ii. p. 497. † Idem, t. i.
‡ Idem, t. ii. p. 418.

have a very extenſive operation.—At preſent, men probably eat and drink twice as much as they have real occaſion for.—The productive power of the earth would be directed to the production of that ſpecies of nutriment which grows in the greateſt quantity, and with the leaſt labour; vines and olives muſt be rooted up, even corn muſt not be ſpared, rice and potatoes muſt be the only articles of culture.—There is no doubt that a country which, in the preſent ſtate of things, would not admit of a greater population than ten millions, might be made to ſupply clothing, habitation, and food, for thirty millions, if every inch of ground was cultivated in the beſt poſſible manner, and if no unneceſſary conſumption of its produce took place: but it is equally clear, that if the populouſneſs ſtill goes on to increaſe, the time will come when theſe remedies will be found to be mere palliative expedients.

III. A country in this ſituation muſt imitate the example of the bees, and EMIT A SWARM.—Without dwelling on the enormities and crimes, with which coloniſation has in almoſt every inſtance been attended *.

* Reflect only on the coloniſation of South America by the Spaniards, in the progreſs of which, the natives were hunted down by dogs, as if they were wild beaſts.

it

it will be ſufficient to obſerve that this is alſo an expedient merely palliative.—This muſt be clear when we reflect that the ſame cauſes which over-populated the mother country continuing to operate, repeated emiſſions of coloniſts muſt take place, till the whole world would ſwarm with people, and no one country could get rid of its exuberance by throwing it on another, ſince no other would be able to receive it.—No doubt, the period when coloniſation muſt of neceſſity ceaſe is at a great diſtance, but every one muſt ſee the poſſibility of its arrival.

The populouſneſs of *China* has been already adverted to in the courſe of this Section.—The inhabitants have adopted the two expedients firſt mentioned; they have *cultivated the earth to the utmoſt*, and they have *baniſhed luxury*.—It ſhould ſeem then that when theſe were found to fail, they ought to have had recourſe to the third.—Actuated by an aſtoniſhing ſpirit of nationality, the Chineſe do never *emigrate*: to a limited extent *infanticide* is practiſed, but even this is not ſufficient *; *famine* and *peſtilence*, every ſix or ſeven years, come in

* See Lettres edif. 21 Recueil.

to correct an evil which the emiſſion of *ſwarms* would at leaſt have retarded.

Let thoſe who contend that POPULOUSNESS is the greateſt bleſſing a country can enjoy, contemplate its *effects* in China;—in *China*, where it is puſhed to its greateſt extent, which is the moſt populous country in the univerſe, and which, if populouſneſs were a real bleſſing, ought to be the moſt happy;—in *China*, where the putrid carcaſes of dogs, cats, and vermin, are ſought with avidity to ſuſtain the lives of wretches who are born only to be ſtarved;—in *China*, which is continually expoſed to the almoſt inexpreſſible horrors of famine; a ſtate in which ſelfiſhneſs univerſally prevails, in which the parent refuſes part of that nouriſhment he has been ſo fortunate to acquire, to his ſtarving child; in which, the child refuſes to hear the ſupplication of his famiſhed parent; or to peſtilence, during which the unfortunate object, abandoned by his neareſt connections and deareſt friends, after dragging his already putrid carcaſe from door to door, dies, unheeded, in the ſtreet.

I have ſpoken of the three palliative expedients which may be adopted in the caſe of over-populouſneſs: the *entire cultivation of the earth*, the *annihilation of luxury*,

ury, and a general ſpread of people over the whole earth, by *coloniſation*, which will for ages prevent populouſneſs from becoming exceſſive.

WHILE THE AFFAIRS OF THIS WORLD ARE MANAGED AS THEY ARE AT PRESENT IN EUROPE, IT IS THE RARITY, RATHER THAN THE INTENSITY, OF POPULATION WHICH WE HAVE TO GUARD AGAINST: WHILE MEN CHOOSE TO PAMPER THEIR BODIES, LESSEN THEIR VIGOUR, AND SHORTEN THEIR LIVES, BY DAILY INTEMPERANCE, BY DAILY INDULGING IN THE DAINTIES OF THE EAST AND WEST, RANSACKING BOTH HEMISPHERES FOR THEIR MOST ORDINARY DIET AND CLOTHING; WHILE THEY COMMUNICATE THEIR OWN DISEASES, AND RECEIVE THOSE OF OTHER COUNTRIES IN BALES OF MERCHANDIZE; WHILE THE IMPERFECT STATE OF MEDICINE PRESENTS SO PIGMY A LANCE, SO WEAK A BUCKLER, AGAINST DISORDERS; WHILE URGED BY COMMERCIAL SPECULATION MEN ARE CONTENT TO PERISH BY HUNDREDS ON UNKNOWN SEAS; AND WHILE SLAVES TO AN IMPERIOUS DESPOTISM THEY ARE WILLING TO HAVE THEIR THROATS CUT BY THOUSANDS

SANDS AT THE BECK OF A FEW INDIVIDUALS; WHILE SERVANTS LOSE THEIR BREAD WHO MARRY; THERE IS NOT MUCH REASON TO APPREHEND THAT POPULOUSNESS WILL BECOME EXCESSIVE *.

WE IN THIS ISLAND HAVE STILL LESS REASON TO FEAR A SUPERABUNDANT POPULATION THAN ANY OTHER PEOPLE OF THE EARTH.—OUR COMMERCE, WHICH EMPLOYS MEN AT SEA, AND KEEPS THEM IN CELIBACY, AND DESTROYS SO MANY BRAVE LIVES; OUR MANUFACTURES, THE BANE OF MORALS AND OF HEALTH; BUT, ABOVE ALL, OUR NUMEROUS COLONIES, PREVENT THE ARRIVAL OF SUCH EVILS, THE POSSIBILITY OF WHICH WAS ALONE EXPATIATED ON.

* The Cabinet.

SECT.

SECT. XVII.

OF CRIMINAL JURISPRUDENCE.

The proper end of human punishment is, not the satisfaction of justice, but the prevention of crimes.—By the *satisfaction* of *justice*, I mean the *retribution* of *so much pain for so much guilt*; *which is the dispensation we expect at the hand of* GOD, and which we are accustomed to consider as the order of things that perfect justice dictates and requires.—In what sense, or whether with truth in any sense, justice may be said to demand the punishment of offenders, I do not now inquire; but I assert that this *demand* is not the *motive or occasion of human punishment*.—What would it be to the magistrate that offences went altogether unpunished, if the impunity of the offenders were followed by no danger or prejudice to the commonwealth?—The fear lest the escape of the criminal should encourage him, or others by his example, to repeat the same crime, or to commit different crimes, is the sole consideration which authorizes the infliction of punishment by human laws.—Now that, whatever it be, which is the cause and end

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of the punishment, ought undoubtedly to regulate the measure of its severity.—But this cause appears to be founded, not in the *guilt of the offender*, but *in the necessity of preventing the repetition of the offence*.—And from hence results the reason, that crimes are not by *any government* punished in *proportion* to their guilt, nor in all cases ought to be so, but in proportion to the *difficulty* and the *necessity of preventing them*.—Thus the stealing of goods privately out of a *shop* may not, in its moral quality, be more criminal than the stealing of them out of a *house*; yet, being equally necessary, and more difficult to be prevented, the law, in certain circumstances, denounces against it a severer punishment.—*The crime must be prevented by some means or other*; and consequently, *whatever means* appear *necessary to this end*, whether they be *proportionable* to the *guilt* of the *criminal* or *not*, are adopted *rightly*, because they are *adopted* upon the *principle which alone justifies the infliction of punishment at all*.—From the same consideration it also follows, that punishment ought not to be employed, much less rendered severe, when the crime can be prevented by any other means.—*Punishment is an evil to which the magistrate resorts only from its being necessary to the prevention of a greater*.—This necessity does not exist, when the

end may be attained; that is, when the public may be defended from the effects of the crime by any other expedient.—The sanguinary laws which have been made against counterfeiting or diminishing the gold coin of the kingdom might be just, until the method of detecting the fraud, by weighing the money, was introduced into general usage.—Since that *precaution* was practised, *these laws have slept:* and an execution under them at this day would be deemed a measure of unjustifiable severity.—The same principle accounts for a circumstance, which has been often censured as an absurdity in the penal laws of this, and of most modern nations, namely, that breaches of trust are either not punished at all, or punished with less rigour than other frauds.—*Wherefore is it, some have asked, that a violation of confidence, which increases the guilt, should mitigate the penalty?*—This lenity, or rather forbearance of the laws, is founded in the most *reasonable distinction.*—A due circumspection in the choice of the persons whom they trust; caution in limiting the extent of that trust; or the requiring of sufficient security for the faithful discharge of it, will commonly guard men from injuries of this description: and the *law will not interpose its sanctions, to protect negligence and credulity, or to supply the place of domestic care*

and prudence.—To be convinced that the law proceeds entirely upon this conſideration, we have only to obſerve, that, where the *confidence is unavoidable*, where no practicable vigilance could watch the offender, as in the caſe of theft committed by a ſervant in the ſhop or dwelling-houſe of his maſter, or upon property to which he muſt neceſſarily have acceſs, *the ſentence of the law is not leſs ſevere, and its execution commonly more certain and rigorous*, than if *no truſt* at all had intervened.

It is in purſuance of the *ſame principle*, which pervades indeed the whole ſyſtem of penal juriſprudence, *that the facility with which any ſpecies of crimes is perpetrated, has been generally deemed a reaſon for aggravating the puniſhment.*—Thus, ſheep-ſtealing, horſe-ſtealing, the ſtealing of cloth from tenters, or bleaching grounds, by our laws, ſubject the offenders to ſentence of *death:* not that theſe crimes are in their nature more heinous, than many ſimple felonies which are puniſhed by impriſonment or tranſportation, *but becauſe the property being more expoſed, requires the terror of capital puniſhment to protect it.*—This ſeverity would be abſurd and unjuſt, if the guilt of the offender were the immediate cauſe and meaſure of the puniſhment; but is a conſiſtent and regular conſequence of the ſuppoſition, that the right

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of puniſhment reſults from the neceſſity of *preventing* the crime: for if this be the end propoſed, the ſeverity of the puniſhment muſt be increaſed in proportion to the expediency and the difficulty of attaining this end; that is, in a proportion compounded of the miſchief of the crime, and of the eaſe with which it is executed.—The *difficulty of diſcovery* is a circumſtance to be included in the ſame conſideration.—It conſtitutes indeed, with reſpect to the crime, the facility of which we ſpeak.—*By how much therefore the detection of an offender is more rare and uncertain, by ſo much the more ſevere muſt be the puniſhment, when he is detected.—Thus the writing of incendiary letters, though in itſelf a pernicious and alarming injury, calls for a more condign and exemplary puniſhment, by the very obſcurity with which the crime is committed.*

From the juſtice of God we are taught to look for a *gradation of puniſhment*, exactly proportioned to the guilt of the offender: when therefore, in aſſigning the degrees of human puniſhment, we introduce conſiderations diſtinct from that guilt, and a proportion ſo varied by external circumſtances, that *equal crimes* frequently undergo *unequal puniſhments*, or the *leſs crime* the *greater*; it is natural to demand the reaſon why a different mea-

ſure of puniſhment ſhould be expected from GOD, and obſerved by men; why that rule, which befits the abſolute and perfect juſtice of the DEITY, ſhould not be the rule which ought to be purſued and imitated by human laws.—The ſolution of this difficulty muſt be ſought for in thoſe peculiar attributes of the divine nature, which diſtinguiſh the diſpenſations of ſupreme wiſdom from the proceedings of human judicature.—A BEING WHOSE KNOWLEDGE PENETRATES EVERY CONCEALMENT; FROM THE OPERATION OF WHOSE WILL NO ART OR SLIGHT CAN ESCAPE; AND IN WHOSE HANDS PUNISHMENT IS SURE; SUCH A BEING MAY CONDUCT THE MORAL GOVERNMENT OF HIS CREATION, IN THE BEST AND WISEST MANNER, BY PRONOUNCING A LAW THAT EVERY CRIME SHALL FINALLY RECEIVE A PUNISHMENT PROPORTIONED TO THE GUILT WHICH IT CONTAINS, abſtracted from any foreign conſideration whatever: and may teſtify his veracity to the ſpectators of his judgments, by carrying this law into ſtrict execution.—But when the care of the public ſafety is entruſted to *men*, whoſe *authority* over their fellow creatures is *limited* by *defects of power and knowledge*; from whoſe *utmoſt vigilance and ſagacity* the *greateſt offenders often lie hid*;

whoſe *wiſeſt precautions and ſpeedieſt purſuit* may be *eluded by artifice or concealment*; a different neceſſity, a new rule of proceeding reſults from the very *imperfection of their faculties*.—In *their* hands the *uncertainty* of puniſhment muſt be compenſated by the *ſeverity*.—The *eaſe* with which crimes are committed or concealed, muſt be counteracted by *additional penalties* and *increaſed terrors*.—The very *end* for which human government is eſtabliſhed, requires that its regulations be adapted to *the ſuppreſſion of crimes*.—*This end*, whatever it may do in the plans of Infinite Wiſdom, *does not, in the deſignation of temporal penalties, always coincide with the proportionate puniſhment of guilt*.

There are two methods of adminiſtering penal juſtice.

The firſt method aſſigns *capital puniſhments to few offences, and inflicts it invariably*.

The ſecond method aſſigns *capital puniſhments to many kinds of offences, but inflicts it only upon a few examples of each kind*.

The *latter of which two methods* has been long adopted in *this country*, where, of thoſe who receive *ſentence* of *death*, ſcarcely *one* in *ten* is executed.—And the preference of this to the former method ſeems to be found-

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ed in the conſideration, *that the ſelection of proper objects for capital puniſhment principally depends upon circumſtances*, which, however *eaſy to perceive in each particular caſe after the crime is committed, it is impoſſible to enumerate or define beforehand*; or to aſcertain however with that exactneſs, which is requiſite in *legal deſcriptions*.—Hence, although it be neceſſary to fix, by preciſe rules of law, the boundary on one ſide; that is, the limit to which the puniſhment may be extended, and alſo that nothing leſs than the authority of the whole legiſlature be ſuffered to determine that boundary, and aſſign theſe rules; *yet the mitigation of puniſhment, the exerciſe of lenity, may, without danger, be entruſted to the executive magiſtrate, whoſe diſcretion will operate upon thoſe numerous, unforeſeen, mutable, and indefinite circumſtances, both of the crime and the criminal, which conſtitute or qualify the malignity of each offence*.—Without the power of *relaxation* lodged in a *living authority*, either ſome offenders would *eſcape capital puniſhment*, whom the *public ſafety required to ſuffer*; or *ſome would undergo this puniſhment*, where it was neither *deſerved* nor *neceſſary*.—For if judgment of death were reſerved for one or two ſpecies of crimes only, which would probably be the caſe, if that judgment was intended to be executed without exception,

ception, *crimes might occur of the moſt dangerous example, and accompanied with circumſtances of heinous aggravation, which did not fall within any deſcription of offences that the laws had made capital, and which conſequently could not receive the puniſhment their own malignity and the public ſafety required.*—What is worſe, it would be *known beforehand*, that *ſuch crimes* might be *committed without danger to the offender's life.*—On the other hand, if, to reach theſe poſſible caſes, the whole claſs of offences to which they belong be ſubjected to pains of death, and no power of remitting this ſeverity remain any where, the *execution of the laws* will become more *ſanguinary* than the *public compaſſion* would endure, or than is *neceſſary* to the *general ſecurity.*

The LAW OF ENGLAND is conſtructed upon a different and a better policy.—*By the number of ſtatutes creating capital offences, it ſweeps into the net every crime, which under any poſſible circumſtances may merit the puniſhment of death: but when the execution of this ſentence comes to be deliberated upon, a ſmall proportion of each claſs are ſingled out, the general character, or the peculiar aggravations of whoſe crimes, render them fit examples of public juſtice.*—By this expedient *few actually ſuffer death*, whilſt *the dread and danger of it hang over the crimes of many.*

many.—The tenderneſs of the law cannot be taken advantage of.—The life of the ſubject is ſpared, as far as the neceſſity of reſtraint and intimidation permits, *yet no one will adventure upon the commiſſion of any enormous crime, from a knowledge that the laws have not provided for its puniſhment*.—The wiſdom and humanity of this deſign furniſh a *juſt excuſe* for the *multiplicity of capital offences*, which the laws of England are accuſed of creating beyond thoſe of other countries.—The charge of *cruelty* is anſwered by obſerving, that theſe laws were never meant to be carried into *indiſcriminate execution*; that the legiſlature, when it eſtabliſhes its laſt and higheſt ſanctions, truſts to the *benignity of the crown to relax their ſeverity*, as often as circumſtances appear to palliate the offence, *or even as often as thoſe circumſtances of aggravation are wanting*, which render this *rigorous* interpoſition neceſſary.—Upon this plan it is enough to vindicate the lenity of the laws, that ſome inſtances are to be found in each claſs of capital crimes, which require the reſtraint of capital puniſhment; and that this reſtraint could not be applied, without ſubjecting the whole claſs to the ſame condemnation.

There is however one ſpecies of crimes, the making of which *capital* can hardly, I think, be defended, even upon

upon the comprehenſive principle juſt now ſtated; I mean that of *privately ſtealing* from the perſon.—As every degree of force is excluded by the deſcription of the crime, it will be difficult to aſſign an example, where either the amount or circumſtances of the theft place it upon a level with thoſe dangerous attempts, to which the puniſhment of death ſhould be confined.—It will be ſtill more difficult to ſhew, that, without groſs and culpable negligence on the part of the ſufferer, ſuch examples can ever become ſo frequent, as to make it neceſſary to conſtitute a claſs of capital offences, of very wide and large extent.

The prerogative of pardon is properly reſerved to the chief magiſtrate.—The power of ſuſpending the laws is a privilege of too high a nature to be committed to many hands, or to thoſe of any inferior officer in the ſtate.—The *king* alſo can beſt collect the advice by which his reſolutions ſhould be governed; and is at the ſame time removed at the greateſt diſtance from the influence of private motives.—But let this power be depoſited where it will, the exerciſe of it ought to be regarded, not as a favour to be yielded to ſolicitation, granted to friendſhip, or, leaſt of all, to be made ſubſervient to the conciliating or gratifying of political attachments, *but as a ju-*

dicial act; as a deliberation to be conducted with the same character of impartiality, with the same exact and diligent attention to the proper merits and circumstances of the case, as that which the judge upon the bench was expected to maintain and shew in the trial of the prisoner's guilt.—*The questions whether the prisoner be guilty, and whether, being guilty, he ought to be executed, are equally questions of public justice.*—The adjudication of the latter question is as much a function of magistracy as the trial of the former.—The public welfare is interested in both.—The conviction of an offender should depend upon nothing but the proof of his guilt, nor the execution of the sentence upon any thing beside the quality and circumstances of his crime.—It is necessary to the good order of society, and to the reputation and authority of government, that this be known and believed to be the case in each part of the proceeding.

Aggravations which ought to guide the magistrate in the *selection of objects of condign punishment* are principally these three—*repetition*, *cruelty*, *combination*.—The two first, it is manifest, add to every reason upon which the justice or the necessity of rigorous measures can be founded; and, with respect to the last circumstance, it may be observed, that when thieves and robbers are

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once collected into gangs, their violence becomes more formidable, the confederates more desperate, and the difficulty of defending the public against their depredations much greater, than in the case of solitary adventurers.—Which several considerations compose a distinction, that is properly adverted to, in deciding upon the fate of convicted malefactors.

In crimes, however, which are perpetrated by a multitude, or by a gang, it is proper to separate, in the punishment, the *ring-leader from his followers*, the principal from his accomplices, and *even the person who struck the blow, broke the lock, or first entered the house, from those who joined him in the felony*; not so much on account of any distinction in the guilt of the offenders, as for the sake of casting an obstacle in the way of such confederacies, by rendering it difficult for the confederates to settle who shall begin the attack, or to find a man amongst their number willing to expose himself to greater danger than his associates.—This is another instance in which the punishment, which expediency directs, does not pursue the exact proportion of the crime.

Injuries effected by *terror* and *violence*, are those which it is the first and chief concern of legal government to

repreſs; becauſe, their extent is unlimited; becauſe, no private precaution can protect the ſubject againſt them; becauſe, they endanger life and ſafety, as well as property; and laſtly, becauſe they render the condition of ſociety wretched, by a ſenſe of perſonal inſecurity.—Theſe reaſons do not apply to frauds, which circumſpection may prevent; which muſt wait for opportunity; which can proceed only to certain limits; and, by the apprehenſion of which, although the buſineſs of life be incommoded, life itſelf is not made miſerable.—The appearance of this diſtinction has led ſome humane writers to expreſs a wiſh, that capital puniſhments might be confined to crimes of violence.

In eſtimating the comparative malignancy of crimes of violence, regard is to be had, not only to the proper and intended miſchief of the crime, but to the fright occaſioned by the attack, to the general alarm excited by it in others, and to the conſequences which may attend future attempts of the ſame kind.—Thus in affixing the puniſhment of *burglary*, or of breaking into dwelling-houſes by night, we are to conſider not only the peril to which the moſt valuable property is expoſed by this crime, and which may be called the direct miſchief of it, but the danger alſo of murder in caſe of re-

ſiſtance, or for the ſake of preventing diſcovery, and the univerſal dread with which the *ſilent and defenceleſs hours of reſt and ſleep* muſt be diſturbed, were attempts of this ſort to become frequent; and which *dread* alone, even without the miſchief which is the object of it, is not only a public evil, but almoſt of all evils the moſt inſupportable.—Theſe circumſtances place a difference between the breaking into a dwelling-houſe by day, and by night; which difference obtains in the puniſhment of the offence by the law of Moſes, and is probably to be found in the judicial codes of moſt countries, from the earlieſt ages to the preſent.

Of frauds, or of injuries which are effected *without force*, the moſt noxious kinds are *forgeries*, counterfeiting or diminiſhing of the *coin*, and the *ſtealing of letters* in the courſe of their conveyance; inaſmuch *as theſe practices tend to deprive the public of accommodations*, which not only improve the conveniencies of ſocial life, but are eſſential to the proſperity, and even the exiſtence of commerce.—Of theſe crimes it may be ſaid, that, although they ſeem to affect property alone, the miſchief of their operation does not terminate there.—For let it be ſuppoſed, that the remiſſneſs or lenity of the laws ſhould, in any country, ſuffer offences of this ſort to

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grow into ſuch a frequency, as to render the uſe of money, the circulation of bills, or the public conveyance of letters no longer ſafe or practicable; what would follow, but that every ſpecies of trade and of activity muſt decline under theſe diſcouragements; the ſources of ſubſiſtence fail, by which the inhabitants of the country are ſupported; the country itſelf, where the intercourſe of civil life was ſo endangered and defective, be deſerted; and that, beſide the diſtreſs and poverty, which the loſs of employment would produce to the induſtrious and valuable part of the exiſting community, a rapid depopulation muſt take place, each generation becoming leſs numerous than the laſt, till ſolitude and barrenneſs overſpread the land; until a deſolation ſimilar to what obtains in many countries of Aſia, which were once the moſt civilized and frequented parts of the world, ſucceeded in the place of crowded cities, of cultivated fields, of happy and well-peopled regions.—When we carry forwards, therefore, our views to the more diſtant, but not leſs certain conſequences of theſe crimes, we perceive that, though no living creature be deſtroyed by them, yet human life is diminiſhed; that an offence, the particular conſequence of which deprives only an individual of a ſmall portion of his property,

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and which even in its general tendency seems to do nothing more than to obstruct the enjoyment of certain public conveniencies, may nevertheless, by its ultimate effects, conclude in the laying waste of human existence. —This observation will enable those, who regard the divine rule of "life for life, and blood for blood," as the only authorised and justifiable measure of capital punishment, to perceive, with respect to the effects and quality of the actions, a greater resemblance than they suppose to exist, between certain atrocious frauds, and these crimes which attack personal safety.

In the case of *forgeries* there appears a substantial difference, between the forging of bills of exchange, or of securities which are circulated, and of which the circulation and currency are found to serve and facilitate valuable purposes of commerce, and the forging of bonds, leases, mortgages, or of instruments which are not commonly transferred from one hand to another; because, in the former case credit is necessarily given to the signature, and, without that credit, the negociation of such property could not be carried on, nor the public utility sought from it be attained; in the other case, all possibility of deceit might be precluded, by a direct communication

munication between the parties, or by due care in the choice of their agents, with little interruption to buſineſs, and without deſtroying, or much incumbering, the uſes for which theſe inſtruments are calculated.—This diſtinction, I apprehend to be not only real, but preciſe enough to afford a line of diviſion between forgeries, which, as the law now ſtands, are almoſt univerſally capital, and puniſhed with undiſtinguiſhing ſeverity.

Perjury is another crime of the ſame claſs and magnitude.—And, when we conſider what reliance is neceſſarily placed upon oaths; that all judicial deciſions proceed upon teſtimony; that conſequently there is not a right, that a man poſſeſſes, of which falſe witneſſes may not deprive him; that reputation, property, and life itſelf lie open to the attempts of perjury; that it may often be committed without a poſſibility of contradiction or diſcovery; that the ſucceſs and prevalency of this vice tend to introduce the moſt grievous and fatal injuſtice into the adminiſtration of human affairs, or ſuch a diſtruſt of teſtimony as muſt create univerſal embarraſſment and confuſion; when we reflect upon theſe miſchiefs, we ſhall be brought, probably, to agree with the opinion of thoſe, who contend that perjury, in its puniſh-

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ment, especially that which is attempted in solemn evidence, and in the face of a court of justice, should be placed upon a level with the most flagitious frauds.

The obtaining of money by *secret threats*, whether we regard the difficulty with which the crime is traced out, the odious imputations to which it may lead, or the profligate conspiracies that are sometimes formed to carry it into execution, deserves to be reckoned amongst the worst species of robbery.

The *frequency* of capital executions in this country, owes its necessity to *three causes—much liberty, great cities*, and the *want* of a *punishment*, short of death, possessing a sufficient degree of terror.—And if the taking away of the life of malefactors be more rare in other countries than in ours, the reason will be found in some difference in these articles.—The liberties of a free people, and still more the jealousy with which these liberties are watched, and by which they are preserved, *permit not those precautions and restraints, that inspection, scrutiny, and control, which are exercised with success in arbitrary government.*—For example, neither the spirit of the laws, nor of the people, will suffer the detention or confinement of *suspected persons*, without proofs of their guilt, which it is often impossible to obtain; nor will

they allow that masters of families be obliged to record and render up a description of the strangers or inmates whom they entertain; nor that an account be demanded, at the pleasure of the magistrate, of each man's time, employment, and means of subsistence; nor securities to be required when these accounts appear unsatisfactory or dubious; nor men to be apprehended upon the mere suggestion of idleness or vagrancy; nor to be confined to certain districts; nor the inhabitants of each district to be made responsible for one another's behaviour; nor passports to be exacted from all persons entering or leaving the kingdom: least of all will they tolerate the appearance of an armed force, or of military law; or suffer the streets and public roads to be guarded and patrolled by soldiers; *or, lastly, entrust the police with such discretionary powers, as may make sure of the guilty, however they involve the innocent.*—These *expedients*, although *arbitrary* and *rigorous*, are many of them *effectual*; and in proportion as they render the commission or concealment of crimes more difficult, they subtract from the necessity of severe punishment.—*Great cities* multiply crimes by presenting easier opportunities and more incentives to libertinism, which in low life is commonly the introductory stage to other enormities;

enormities; by collecting thieves and robbers into the ſame neighbourhood, which enables them to form communications and confederacies, that increaſe their art and courage, as well as ſtrength and wickedneſs; but principally by the refuge they afford to villainy, in the means of concealment, and of ſubſiſting in ſecrecy, which crowded towns ſupply to men of every deſcription.—Theſe temptations and facilities can only be counteracted by adding to the number of capital puniſhments.—But a *third cauſe*, which increaſes the frequency of capital executions in England, is a defect of the laws in not being provided with any other puniſhment than that of death, ſufficiently terrible to keep offenders in awe.—*Tranſportation*, which is the ſentence ſecond in the order of ſeverity, appears to me to anſwer the purpoſe of example very imperfectly; not only becauſe exile is in reality a *ſlight puniſhment* to thoſe, who have neither property, nor friends, nor reputation, nor regular means of ſubſiſtence at home; and becauſe their ſituation becomes little worſe by their crime, than it was before they committed it; but becauſe the puniſhment, whatever it be, is unobſerved and unknown.—*A tranſported convict may ſuffer under his ſentence, but his ſufferings are removed from the view of his countrymen: his miſery*

fery is unſeen; his condition ſtrikes no terror into the minds of thoſe, for whoſe warning and admonition it was intended.—This chaſm in the ſcale of puniſhment produces alſo two further imperfections in the adminiſtration of penal juſtice: the firſt is, that the ſame puniſhment is extended to crimes of very different character and malignity; the ſecond, that puniſhments ſeparated by a great interval, are aſſigned to crimes hardly diſtinguiſhable in their guilt and miſchief *.

* PALEY.

SECT.

SECT. XVIII.

THE SAME SUBJECT CONTINUED, BUT PLACED IN ANOTHER POINT OF VIEW.

It is clear, that the right of puniſhing crimes againſt the law of nature, as murder and the like, is in a ſtate of mere nature, veſted in every individual.—For it muſt be veſted in ſomebody; otherwiſe the laws of nature would be vain and fruitleſs, if none were empowered to put them in execution: and if that power is veſted in any one, it muſt alſo be veſted in all mankind; ſince all are by nature equal; of which the firſt murderer Cain was ſo ſenſible, that we find him expreſſing his apprehenſions, that whoever ſhould find him would ſlay him. —In a ſtate of ſociety this right is transferred from individuals to the ſovereign power; whereby men are prevented from being judges in their own cauſes, which is one of the evils that civil government was intended to remedy.—Whatever power, therefore, individuals had of puniſhing offences againſt the laws of nature, that is

now

now veſted in the magiſtrate alone; who bears the ſword of juſtice by the conſent of the whole community.—And to this precedent natural power of individuals muſt be referred that right, which ſome have argued to belong to every ſtate (though, in fact, never exerciſed by any), of puniſhing not only their own ſubjects, but alſo foreign embaſſadors, even with death itſelf; in caſe they have offended, not indeed againſt the municipal laws of the country, but againſt the divine laws of nature, and become liable thereby to forfeit their lives for their guilt.

As to offences merely againſt the laws of ſociety, which are only *mala prohibita*, and not *mala in ſe*; the temporal magiſtrate is alſo empowered to inflict coercive penalties for ſuch tranſgreſſion: and this by the conſent of individuals; who, in forming ſocieties, did either tacitly or expreſsly inveſt the ſovereign power with a right of making laws, and of enforcing obedience to them when made, by exerciſing, upon their non-obſervance, ſeverities adequate to the evil.—The lawfulneſs therefore of puniſhing ſuch criminals is founded upon this principle, that the law by which they ſuffer was made by their own conſent; it is a part of the original contract into which they entered, when firſt they engaged

engaged in ſociety; it was calculated for, and has long contributed to, their own ſecurity.

This right therefore, being thus conferred by univerſal conſent, gives to the ſtate exactly the ſame power, and no more, over all its members, as each individual member had naturally over himſelf or others.—Which has occaſioned ſome to doubt, how far a human legiſlature ought to inflict capital puniſhments for poſitive offences; offences againſt the municipal law only, and not againſt the law of nature; ſince no individual has, naturally, a power of inflicting death upon himſelf or others for actions in themſelves different.—With regard to offences *mala in ſe*, capital puniſhments are in ſome inſtances inflicted by the immediate command of GOD himſelf to all mankind; as, in the caſe of murder, by the precept delivered to Noah, their common anceſtor and repreſentative, "Whoſo ſheddeth man's blood, by "man ſhall his blood be ſhed."—In other inſtances they are inflicted after the example of the CREATOR, in his poſitive code of laws for the regulation of the Jewiſh republic; as in the caſe of the crime againſt chaſtity.

For though the end of puniſhment is to deter men from offending, it never can follow from thence, that

it

it is lawful to deter them at any rate, and by any means; ſince there may be unlawful methods of enforcing obedience even to the juſteſt laws.—Every humane legiſlator will be therefore extremely cautious of eſtabliſhing laws that inflict the penalty of *death*, eſpecially for ſlight offences, or ſuch as are merely poſitive.—He will expect a better reaſon for his ſo doing, than that looſe one which generally is given; that it is found by former experience that no lighter penalty will be effectual.—For is it found upon farther experience, that capital puniſhments are more effectual?—Was the vaſt territory of all the Ruſſias worſe regulated under the late empreſs ELIZABETH, than under her more ſanguinary predeceſſors?—Is it now, under CATHERINE II. leſs civilized, leſs ſocial, leſs ſecure? And yet we are aſſured, that neither of theſe illuſtrious princeſſes have, throughout their whole adminiſtration, inflicted the penalty of *death*: and the latter has, upon full perſuaſion of its being uſeleſs, nay even pernicious, given orders for aboliſhing it entirely throughout her extenſive dominions.

Upon the whole, we may obſerve, that puniſhments of unreaſonable ſeverity, eſpecially when indiſcriminately inflicted, have leſs effect in preventing crimes, and amending the manners of a people, than ſuch as are

more merciful in general, yet properly intermixed with due diſtinctions of ſeverity.—It is the ſentiment of an ingenious writer, who ſeems to have well ſtudied the ſprings of human action, that crimes are more effectually prevented by the certainty than by the ſeverity of puniſhment; for the exceſſive ſeverity of laws (ſays MONTESQUIEU) hinders their execution.—When the puniſhment ſurpaſſes all meaſure, the public will frequently prefer impunity to it.—Thus alſo the ſtatute 1 Mar. ſt. 1. c. 1. recites in its preamble, "that the ſtate of every king conſiſts more aſſuredly in the love of the ſubject towards their prince, than in the dread of laws made with rigorous pains; and that laws made for the preſervation of the commonwealth without great penalties, are more often obeyed and kept, than laws made with extreme puniſhments."—Happy had it been for the nation if the ſubſequent practice of that deluded princeſs in matters of religion, had been correſpondent to theſe ſentiments of herſelf and parliament in matters of ſtate and government! We may further obſerve, that ſanguinary laws are a bad ſymptom of the diſtemper of any ſtate, or at leaſt of its weak conſtitution.—The laws of the Roman kings, and the twelve tables of the *decemviri*, were full of cruel puniſhments: the Porcian law,

which exempted all citizens from ſentence of death, ſilently abrogated them all.—In this period the republic flouriſhed: under the emperors ſevere puniſhments were revived, and then the empire fell.

It is, moreover, abſurd and impolitic to apply the ſame puniſhment to crimes of different malignity.—A multitude of ſanguinary laws (beſides the doubt that may be entertained concerning the right of making them) do likewiſe prove a manifeſt defect either in the wiſdom of the legiſlative, or the ſtrength of the executive, power.—It is a kind of quackery in government, and argues a want of ſolid ſkill, to apply the ſame univerſal remedy, the *ultimum ſupplicium*, to every caſe of difficulty.—It is, it muſt be owned, much eaſier to extirpate than to amend mankind; yet that magiſtrate muſt be eſteemed both a weak and a cruel ſurgeon, who cuts off every limb which through ignorance or indolence he will not attempt to cure.—It has been therefore ingeniouſly propoſed, that in every ſtate a ſcale of crimes ſhould be formed, with a correſponding ſcale of puniſhments, deſcending from the greateſt to the leaſt.—But if that be too romantic an idea, yet at leaſt a wiſe legiſlator will mark the principal diviſions, and not aſſign penalties of the firſt degree to offences of an inferior rank.

rank.—Where men ſee no diſtinction made in the nature and gradations of puniſhment, the generality will be led to conclude there is no diſtinction in the guilt.—Thus in France the puniſhment of robbery, either with or without murder, is the ſame: hence it is, that though perhaps they are therefore ſubject to fewer robberies, yet they ſeldom rob but they alſo murder.—In China murderers are cut to pieces, and robbers not: hence in that country they never murder on the highway, though they often rob.—And in Britain, beſides the additional terrors of a ſpeedy execution, and a ſubſequent expoſure or diſſection, robbers have a hope of tranſportation, which ſeldom is extended to murderers.—This has the ſame effect here as in China, in preventing frequent aſſaſſination and ſlaughter.

But indeed, were capital puniſhments proved by experience to be a ſure and effectual remedy, that would not prove the neceſſity (upon which the juſtice and propriety depend) of inflicting them upon all occaſions when other expedients fail.—It is feared this reaſoning would extend a great deal too far.—For inſtance, the damage done to our public roads by loaded waggons is univerſally allowed, and many laws have been made to prevent it, none of which have hitherto proved effectual.

—But it does not therefore follow, that it would be juſt for the legiſlature to inflict death upon every obſtinate carrier, who defeats or eludes the proviſions of former ſtatutes.—Where the evil to be prevented is not adequate to the violence of the preventive, a ſovereign that thinks ſeriouſly can never juſtify ſuch a law to the dictates of conſcience and humanity.—To ſhed the blood of our fellow-creature is a matter that requires the greateſt deliberation, and the fulleſt conviction of our own authority: for life is the immediate gift of God to man; which neither he can reſign, nor can it be taken from him, unleſs by the command or permiſſion of him who gave it, either expreſsly revealed, or collected from the laws of nature or ſociety by clear and indiſputable demonſtration.

Yet though we may glory in the wiſdom of our conſtitution, we ſhall find it difficult to juſtify the frequency of capital puniſhment, inflicted (perhaps inattentively) by a multitude of ſucceſſive independent ſtatutes, upon crimes very different in their natures.—It is a melancholy truth, that among the variety of actions which men are daily liable to commit, no leſs than 160 have been declared by acts of parliament to be felonies without benefit of clergy; or, in other words, to be worthy of inſtant death.—So

dreadful a liſt, inſtead of diminiſhing, increaſes the number of offenders.—The injured, through compaſſion, will often forbear to proſecute; juries, through compaſſion, will ſometimes forget their oaths, and either acquit the guilty or mitigate the nature of the offence; and judges, through compaſſion, will reſpite one half of the convicts, and recommend them to the royal mercy.—Among ſo many chances of eſcaping, the needy and hardened offender overlooks the multitude that ſuffer: he boldly engages in ſome deſperate attempt to relieve his wants or ſupply his vices; and if unexpectedly the hand of juſtice overtakes him, he deems himſelf peculiarly unfortunate in falling at laſt a ſacrifice to thoſe laws which long impunity has taught him to contemn.

The ſeverity of puniſhment is alſo one great reaſon why crimes of an inferior claſs, with reſpect to enormity, are in a more peculiar manner felt as national evils *.

It will ſcarcely be credited by thoſe, whoſe habits of life do not permit them to enter into diſcuſſions of this ſort, that by the laws of England, there are above one hundred and ſixty different offences which ſubject the

* *Vide* an excellent Treatiſe on the Police, by a Magiſtrate.

parties

parties who are found guilty, to the punishment of death without benefit of clergy.

It requires little penetration to be convinced that a criminal code, so sanguinary in its provisions, must in the nature of things defeat those ends, the attainment of which ought to be the object of all law, namely, *the prevention of crimes.*

It is only necessary to examine, with a little attention, the modern history of the *criminal prosecutions, trials, acquittals, and pardons, in this country* *, in order to

* Discharged from Newgate in 1786 — 575 1791 — 584
1787 — 611 1792 — 804
1788 — 542 1793 — 702
1789 — 614 1794 — 644
1790 — 532 1795 — 578
2874 3312
2874
Total prisoners 6186

Since the first institution of the Hulks in 1776, there have been discharged from Woolwich, Portsmouth, and Langston Harbour, *two thousand five hundred and thirty convicts.*

Viz. 1. By expiration of punishment - 1610
2. By pardons, - - - - - - 790
3. By escapes, - - - - - - 130
Total 2530

1. Discharged

to be completely convinced that one great cauſe of the progreſſive increaſe of crimes and criminal delinquents, ariſes from the ſingle circumſtance of ſuch a multitude of ſlighter offences being liable to the puniſhment of death.

The Roman empire never flouriſhed ſo much as during the æra of the Portian law, which abrogated the puniſhment of death for all offences whatſoever.—When ſevere puniſhments and an incorrect police were afterwards revived, as we before obſerved, the empire fell.

It is not meant, however, to be inſinuated that this would be, altogether, a proper ſyſtem of criminal juriſprudence to be adopted in modern times.

1. Diſcharged by proclamation and gaol-deliveries; having been committed in conſequence of being charged with various offences, for which bills were not found by the grand jury, or where the proſecutors did not appear to maintain and ſupport the charges, - - 5592
2. Diſcharged by acquittals, in the different courts; (frequently from having availed themſelves of the defects of the law,—from frauds in keeping back evidence, and other devices), - - - - - - 2962
3. Convicts diſcharged from the different gaols, after ſuffering the puniſhment of impriſonment, &c. inflicted on them for their ſeveral offences, - - - - - - - - - - - - - - - - 2484
4. Convicts diſcharged and eſcaped from the Hulks at Woolwich, Portſmouth, and Langſton, - - - - - - - - - - - 896

Total 11,934

In

In the preſent ſtate of ſociety it may be thought indiſpenſably neceſſary, that offences, which in their nature are highly injurious to the public, and where no mode of prevention can be eſtabliſhed, ſhould be puniſhed by the forfeiture of life; but theſe dreadful examples ſhould be exhibited as ſeldom as poſſible; for while on the one hand, ſuch puniſhments often defeat the ends of juſtice, by their not being carried into execution: ſo on the other, by being often repeated, they loſe their effect upon the minds of the people.

If it were poſſible to form a ſcale of offences with a correſponding puniſhment applicable to each, aſcending from the ſlighteſt miſdemeanor, in progreſſive gradation to the higheſt crimes of forgery, arſon, murder, and treaſon, the guilty would not ſo frequently eſcape the puniſhment of the law; and the numerous hordes of thieves and cheats who are daily committed for ſlighter offences, would not, as at preſent, be ſet at liberty either by goal-deliveries or by acquittals.

This idea has been already ſuggeſted by an author of the higheſt reputation *, and certainly merits attention; as it is hoped thoſe ſuggeſtions do which will be ſubmitted to the conſideration of the public, for the improve-

* Baccaria, cap. 6.

ment

ment of the police of the metropolis, and of the country at large, in the next section.—For certain it is, that however much we glory (and we ought to glory) in the excellence of our constitution, yet there is no truth more clear and obvious than this;—"That our code "exhibits too much the appearance of a heterogeneous "mass, concocted too often on the spur of the occasion "(as Lord BACON expresses it),—And frequently with- "out that degree of accuracy which is the result of "able and minute discussion, or a due attention to the "revision of the existing laws, or how far their pro- "visions bear upon new and accumulated statutes in- "troduced into parliament, often without either con- "sideration or knowledge; and without those precau- "tions which are always necessary, when laws are to "be made which may affect the property, the liberty, "and perhaps even the lives of thousands."

Were the existing laws, which form our present criminal code (according to the suggestions of Lord BACON, and an eminent crown lawyer of our own times), to be referred to able and intelligent men to revise, consolidate, and adjust the whole, in a manner best suited to the present state of society and manners, the investigation would unquestionably excite wonder and astonish-

ment; and thoſe concerned in it could not fail to lament that ſo many laws, inflicting ſevere penalties and puniſhments for ſlight offences, at preſent fill the ſtatute-book; while ſeveral crimes, highly injurious to ſociety, are not liable to any puniſhment whatever.

Penal laws, which are either obſolete or abſurd, or which have ariſen from an adherence to rules of common law, when the reaſons have ceaſed upon which theſe rules are founded; and in ſhort, all laws which appear not to be founded on the dictates of truth and juſtice, the feelings of humanity, and the indelible rights of mankind, ſhould be abrogated and repealed *.

The method of inflicting puniſhment ought always to be proportioned to the end it is meant to ſerve.—That boundary ſhould never be exceeded, and where death does not attach to the crime, the *reformation*, and *future uſefulneſs* of the culprit to the ſtate, ſhould conſtantly form a leading feature in all criminal juriſprudence.

By compelling perſons convicted of offences to be uſeful and induſtrious, a repetition of crimes would be prevented; and inſtead of being injured by reiterated depredations, as is the caſe at preſent, ſociety would enjoy, not only the benefits ariſing from the protection of

* Blackstone.

life

life and property, but alſo from productive labour, increaſing and enlarging the reſources of the ſtate through the medium of its worſt members.

Prevention of crimes and miſdemeanors, it cannot be too often repeated, is the true eſſence of police;—and this is only to be attained by a ſyſtem of energy directed by ſuch wiſe and legiſlative arrangements, as ſhall enable the civil magiſtrate to throw every poſſible difficulty in the way of offenders.

This indeed is very different from what is ſaid to have prevailed in the capital, when criminals were generally permitted to ripen from the firſt ſtage of depravity until they were worth forty pounds.—This is not the ſyſtem which ſubjected the public to the intermediate depredations of every villain from his firſt ſtarting, till he could be clearly convicted of a capital offence.—Neither is it the ſyſtem which encouraged public houſes of rendezvous for thieves, for the purpoſe of knowing where to apprehend them, when they became ripe for the punithment of death.

The ſyſtem now ſuggeſted, is calculated to prevent, if poſſible, the ſeeds of villainy from being ſown;—or if ſown, to check their growth in the bud, and never permit them to ripen at all.

Humanity ſhudders at the contemplation of this intereſting part of the diſcuſſion, when it is conſidered, who theſe our miſerable fellow-mortals are! and what is to be expected from the extreme depravity which attaches to the chief part of them!

And here a prominent feature of the imperfect ſtate of the police of the metropolis and the country is too evident to eſcape notice.

Without friends, without character, and without the means of ſubſiſtence, what are theſe unhappy mortals to do?—They are no ſooner known or ſuſpected, than they are avoided.—No perſon will employ them, even if they were diſpoſed to return to the paths of honeſty; unleſs they make uſe of fraud and deception, by concealing that they have been the inhabitants of a *priſon*, or of the *hulks*.

At large upon the world, without food or raiment, and with the conſtant calls of nature upon them for both, without a home or an aſylum to ſhelter them from the inclemency of the weather, *what is to become of them?*

The police of the country has provided no place of induſtry, in which thoſe who were diſpoſed to reform might find ſubſiſtence in return for labour; which, in their preſent ſituation, becomes uſeleſs to them, becauſe

no

no perſon will purchaſe it by employing them.—Under all theſe circumſtances it is to be feared, indeed it is known, that many convicts, from dire neceſſity, return to their old courſes.—And thus, through the medium of theſe miſerable outcaſts of ſociety, crimes are increaſed and become a regular trade, becauſe many of them can make no other election.

THOSE MEN WILL DESERVE A STATUE TO THEIR MEMORY WHO SHALL MODERATE THE NEEDLESS SEVERITY OF OUR LAWS, AND DEVISE AND CARRY INTO EFFECT A PLAN FOR THE EMPLOYMENT OF DISCHARGED CONVICTS, WHO MAY BE DESIROUS OF LABOURING FOR THEIR SUBSISTENCE IN AN HONEST WAY.—IT IS ONLY NECESSARY FOR PERSONS OF WEIGHT AND INFLUENCE TO MAKE THE ATTEMPT, IN ORDER TO ENSURE THE ASSISTANCE OF THE OPULENT AND HUMANE IN SO GOOD AND NECESSARY A WORK.

SECT.

SECT. XIX.

THE SAME SUBJECT CONSIDERED PRACTICALLY.

HOWARD, the beneficent HOWARD, whoſe generous efforts have been too often treated as the ſchemes of a philanthropic viſionary, even by thoſe who were unable to refuſe him their tribute of admiration and reſpect, HOWARD, thanks to the wiſdom of the ſtate of *Pennſylvania*, will be henceforth acknowledged to be a philoſopher as acute in his obſervations, and as enlightened in his views, as in his diſpoſition virtuous, and friendly to the human race.—His doctrines have been attended to, and his ſyſtem put in practice in *Philadelphia*, for ſeveral years paſt, and ſucceſs has crowned them: that ſucceſs which had been predicted by the benefactor of mankind.

As the criminal juriſprudence of the ſtate of *Pennſylvania* is the baſis on which the new ſyſtem of priſon-adminiſtration reſts, it may be uſeful to give ſome account of it in a ſuccinct hiſtory.

William

William PENN, when he eſtabliſhed this colony in 1681, brought with him a charter from CHARLES the Second, which required the eſtabliſhment of the laws of England in the infant ſettlement.—But how could PENN, a philoſophic legiſlator, whoſe firſt act of government was to grant equal protection (without preference or partiality to any religion) to every ſect, eſtabliſh without reluctance a ſyſtem of criminal juriſprudence, which awarded to almoſt every kind of crime the puniſhment of *death*?—PENN was the friend of reaſon and humanity.—He wiſhed to extend their empire, and to enſure their bleſſings to his riſing colony.—Nor could a cold indifference to the effuſion of blood, accord with the principles of that ſect, which refuſes to acknowledge the lawfulneſs even of defenſive war.—He compiled, as ſoon as he could, a milder code of criminal juriſprudence, in which the puniſhment of death was awarded to premeditated murder only.—This code was not approved of in England, and, after a long diſpute between the king and the governor of *Pennſylvania*, the Engliſh criminal law was eſtabliſhed in its full extent and rigour.—This order ſubſiſted as long as the kings of England remained ſovereigns of America.

The inhabitants of *Pennſylvania*, awakened to liberty,

had

had their attention immediately recalled to the mildneſs of their original penal code.—The new conſtitution of the ſtate, formed in the year 1776, enjoined the legiſlature to proceed to the reformation of the penal laws, and to invent puniſhments leſs cruel, and better proportioned to the various degrees of criminality.—The war prevented the execution of theſe views till 1776.—At that time the puniſhment of death, which had been inflicted upon almoſt every ſpecies of theft, &c. was reſerved for murder, rape, wilful incendiaries, and treaſon; and whipping, impriſonment, and public labour, ſubſtituted in its ſtead.

The experience of a few years has at length demonſtrated the numberleſs inconveniences of *public labour*.—Criminals loaded with irons, and ſcattered through the ſtreets and along the roads, preſented to the public the ſpectacle of vice rather than of ſhame and miſery; and the impoſſibility of watching them properly, facilitated the means of exceſs, of drunkenneſs, of pillage, and of eſcape.—All the priſoners, whatever might have been their crimes or their characters, were confounded in one maſs.—By this mixture, the bad were not ameliorated, but the leſs criminal often became worſe.—They ſpread terror over town and country; and far

from being put in the way of amendment, became initiated in new ſcenes of wickedneſs, till the priſons were found incompetent to contain the increaſing number of the convicted.

At this period, ſome of the moſt reſpectable citizens of *Philadelphia* formed themſelves into a ſociety, with the view of alleviating the miſeries of the priſons, of aſcertaining their defects, and of pointing out to the government the prevailing abuſes.—This ſociety was the occaſion of an additional mitigation of the penal code.—In 1790, the legiſlature, compoſed at that time of a ſingle chamber, aboliſhed the puniſhments of public labour, of mutilation, and of whipping; and ſubſtituted in their ſtead impriſonment, fine, and reparation for the crime committed. — The ſame law requires ſtronger evidence for the conviction of certain criminals; and, after ſettling ſeveral important articles relative to the general adminiſtration of priſons, gives in charge to a board of inſpectors to make, with the approbation of the mayor and two aldermen of *Philadelphia*, two judges of the ſupreme court, and two judges of the court of common pleas of *Pennſylvania*, ſuch alterations as may be neceſſary for the internal management of ſuch buildings. Confidence in the good intentions of this beneficent ſo-

ciety, and in the patriotiſm and ſagacity of the inſpectors, forced, as it were, this act from the legiſlature, who were far from expecting that the avoiding of ill treatment, and the adoption of a mild conduct, would have more effect upon the priſoners, and prove a better means of correction, than fetters, harſhneſs, and ſeverity.

The judges conſulted on this occaſion, oppoſed the change, not becauſe they were hardened by prejudice, they were, on the contrary, enlightened and humane; but a too intimate acquaintance with crimes and criminals, the conſequence of their profeſſion, blinded them to the hopes of ſucceſs pointed out in the new ſyſtem.—The new mode of diſcipline was, however, the only plea for the alteration of the penal code, which, for this reaſon, was made temporary, and its duration limited to five years.—It was left to after-experience, to determine whether it ſhould be continued or abandoned.

The Quakers were the chief promoters of this ſoftened ſyſtem.

It was Lownes who propoſed and effected the change of diſcipline; who propoſed to ſubſtitute a mild and rational, but firm, treatment, in the room of irons and ſtripes:

ſtripes: and who, without relaxing in his efforts, patiently bore to be treated as a viſionary, in full confidence of the good to be obtained by perſeverance.—His indefatigable zeal, by intereſting in his favour every perſon capable of contributing to his ſucceſs, obtained, from the good will of the legiſlature, the already noticed laws: laws dictated not only by benevolence, but alſo by juſtice and true policy.—He, in fine, by conſenting to be re-elected on every nomination, became the principal agent in this reſpectable work of reaſon and humanity.

I have already obſerved, that the opinion of the judges was decidedly againſt this eſtabliſhment: one, younger than the reſt, and leſs inclined to deſpair of the melioration of the human character, embraced with ardour the new ſyſtem, aſſociated himſelf with Caleb Lownes, aſſiſted him with that advice which could be given only by a man well verſed in the ſcience of juriſprudence; and ſhared with him his hopes, his labours, and his deſervings.—This man was William Bradford, at that time judge of the ſtate of Pennſylvania, ſince attorney-general of the United States, and recently deceaſed, honoured by the regret and univerſal eſteem of his fellow citizens.—He deſerves, indeed, particular reſpect;

which I pay him with the greater readineſs, as it implies no cenſure on his brethren, who, in refuſing their ſanction to the new ſyſtem, were actuated only by the fear of ſucceſs, a fear founded upon paſt experience.

They were ſeconded by the influence of ſeveral other citizens, of importance by their fortunes, and by their great credit and reſpectability, who were ſufficiently enlightened to calculate the poſſibility of its ſucceſs, and the advantages it promiſed.—Their patriotiſm rendered them ardent to contribute to its advancement.—In conſequence, the regulations were ſpeedily concerted, and the neceſſary alterations in the buildings being made, the new diſcipline commenced.—The trials already made, have ſo fully anſwered every expectation, that during the laſt year, the ſtate legiſlature has proceeded to a further mitigation of its penal code, and has confined the puniſhment of death to murder committed with malice and premeditated intention; puniſhing every other ſpecies of the ſame crime with impriſonment of greater or leſs continuance and ſeverity, leaving to the governor, at the ſame time, the power of abridging its duration.—To theſe enlightened legiſlators it appeared, that if, on the one hand, the certainty of puniſhment

operated as a powerful check on crimes, the hope of obtaining pardon, in conſequence of good behaviour, was, on the other, a means no leſs powerful in determining the convict to real and poſitive amendment.

The end propoſed in puniſhment, ought to be the correction of the guilty, and ſhould include the means of amendment.—This axiom of morality is the baſis of the government of the priſon.—The managers have connected with it a great political truth; that the confinement of a convict being a reparation made to the community, the ſociety ought to be burdened as little as poſſible with the expence attending ſuch detention: whence it follows, that a chief object of the regimen of theſe priſons ought to be, firſt, to break off the old habits to which the convicts have been accuſtomed, and induce them to ſelf-reflection, and conſequent amelioration; ſecondly, to proſcribe all arbitrary ill-treatment of the priſoners; and thirdly, to keep them conſtantly employed in ſome ſpecies of productive labour, with a view to make them contribute to the expences of the priſon, preſerve them from idleneſs and inaction, and enable them to lay up ſome kind of fund againſt the termination of their captivity.

The convicts, condemned to impriſonment under the

new

new act, may be divided into two classes. 1st. Those condemned for crimes, heretofore punishable with death, whose sentence always includes the article of solitary confinement during a part of their detention.—2d. Such as have been convicted of crimes of less importance, and whose sentence does not include the above article of solitary confinement.

The person sentenced to solitary confinement is shut up in a kind of cell, whose floor is eight feet by six, and its height nine feet.—This room is on the first or second story of an insulated building raised on arches.—It is warmed by means of a stove, placed in the passage leading to the cells.—The prisoner, confined within two iron gratings, receives the heat, without the power of making an improper use of the fire, which he cannot handle.—His chamber, which is partly lighted by the window of the passage, is more directly illuminated by a small window which opens into the cell itself.—Each apartment contains a necessary, cleansable at will by a stream of water.—Every precaution is taken to preserve health.—The cell, as well as the rest of the house, is whitewashed twice a year, or more frequently, if necessity requires—The prisoner sleeps upon a mattrass, and is allowed a sufficient quantity of cloathing.—In

this

this ſituation, ſeparated from every other individual, given up to ſolitude, to ſelf-reflection, and to remorſe, he can communicate only with himſelf.—He ſees the turnkey but once a day, to receive a ſmall pudding made of Indian corn, together with ſome melaſſes; nor is it till after a given time, that he obtains, upon his petition, the leave to read.

The convicts whoſe ſentence does not include ſolitary confinement, are on their arrival placed among the reſt; their clothes are taken away, and, if neceſſary, expoſed to heat in an oven, and the common dreſs of the priſoners put upon them.—They are made acquainted with the regulations of the houſe, and interrogated with reſpect to the labour they are able or willing to perform.—The officer who brings them, delivers to the inſpectors a ſhort account of their crime, of its aggravating or extenuating circumſtances, of their trial, of the faults they have been guilty of, and, in ſhort, of the general character of the individual previous to his condemnation.—This account, afforded by the court which pronounced ſentence, enables the inſpectors to form ſome judgment of the new priſoner, and of the greater or leſs attention which it will be neceſſary to pay to his behaviour.

The

The work aſſigned them is adapted to their ſtrength and capacity.—There are in the houſe, looms for weavers, work-ſhops and tools for joiners, carpenters, turners, ſhoe-makers, and taylors; the convicts who poſſeſs ſuch trades, are allowed to practiſe them; the remainder are employed in ſawing and poliſhing marble, in cutting logwood, in pounding and grinding plaiſter of Paris, in carding wool, or in beating hemp.—The weaker and leſs ſkilful are buſied in picking wool, hair, or oakum.—The inſpectors have lately added to theſe eſtabliſhments, a manufacture of nails, capable of affording employment to a great number of priſoners, and bringing conſiderable profit to the houſe.—Every one is paid in proportion to his labour.—The bargain for each ſpecies of work is made, in the preſence of the convict, between the gaoler and the employer.—Out of his profits, the priſoner is obliged to pay his board, and the price of, or in ſome caſes a certain rent or hire for the inſtruments he uſes.—Theſe payments, which are neceſſarily determined by the current price of commodities, are fixed by the inſpectors four times in every year.

Beſides his board and cloathing, which are paid out of the profits of his labour, the original ſentence of the

law

law obliges the convict to pay the expences of profecution, together with a fine, which never fails to be impofed.—That part of the fine which is appropriated to the commonwealth, is commonly remitted; but he is bound to difcharge, without failure, that which is intended as a reparation of his crime, and to defray the expences of profecution.—The county advances the fums required on this laft fcore, and is reimburfed by the produce of the convict's labour, unlefs repaid by the family or friends.

The women are employed in fpinning, fewing, preparing flax and hemp, and in wafhing and mending for the houfe.—Their labour is not fo productive as that of the men, but it is fufficient to pay the feven-pence a day required for their maintenance; or amounts to fomething more, if they labour throughout the day.—As their work demands lefs ftrength than that of the men, their nourifhment is likewife lefs confiderable.

The gaoler is not here, as is too often the cafe in Europe, an extortioner, who lays under contribution the weaknefs, the captivity, and the mifery of the confined.—No garnifh, no purchafe of favours or privileges, no difmiffion fees difgrace thefe prifons.—In Europe, the fmall falary annexed to many places feem to

authoriſe the holder of them to extend his revenues.—And it is certainly very difficult for a ſuperior officer, who knows that the appointments of ſuch perſons do not afford them a proper livelihood, not to wink at many of the methods employed, by each one reſpectively, to procure himſelf a better ſubſiſtence.—Theſe methods are ſo many abuſes, which gradually become cuſtoms, and at length eſtabliſh themſelves as matters of right, which the pureſt and moſt ſevere adminiſtration is unable to overturn.—Were an adminiſtrator to attempt it, he would probably, without ſucceeding in his object, run the riſk of loſing his own place, ſince abuſes, connected together by any common tie, ſoon acquire formidable ſtrength.—This ſpecies of greedy extortion ſeems to belong, in a peculiar manner, to the degraded claſſes of ſociety.—It is a kind of vengeance exerciſed by thoſe who have learnt to be indifferent to the eſteem of others, in return for the contempt with which they are treated by the world.—The honour and reſpect which men derive, or hope to derive, from good conduct, is the ſtrongeſt incentive: but he muſt be more than ordinarily virtuous, who can feel it ſtrongly, and content himſelf with ſelf-eſteem, while he knows himſelf to be, in general, an object of contemptuous neglect.—Theſe

principles,

principles, which are their great rule of conduct, direct the inſpectors in the choice of their gaoler, for upon his good management depend their principal means of ſucceſs.

As the priſoner is never put in irons; as blows, ill-treatment, and threats, are ſtrictly forbidden; as, in fine, the whole diſcipline of this houſe of correction tends to convert it into a houſe of amendment, the office of gaoler cannot be repugnant to the feelings of any well-inclined individual.—The ſalary is a very good one; and the wages of the under officers ſufficient for their ſtations.—The frequent viſits of the inſpectors enſure, in ſome meaſure, the integrity of the keepers, and not only prevent every ſpecies of exaction, but even render their impracticability demonſtrable.

The rooms in which the priſoners ſleep are on the ſecond ſtory.—They contain each about ten or twelve bedſteads, on which are mattraſſes ſtuffed with cedar ſhavings, ſheets, and coverlids or rugs.—Each perſon has a ſeparate bed.—The room is well aired, and well lighted, though in ſuch a manner as to prevent every communication with the ſtreet.—They leave the room at break of day, and do not return to it till night; they are then ſhut up without light.—In very cold weather

they are allowed a few billets.—As the building is arched, they cannot ſet fire to it; and were they to attempt to burn their beds, they would not only be expoſed to ſuffocation, but the ſurvivors would be obliged to pay the damages committed by their companions.

Before they begin their labour, they are obliged to waſh their face and hands.—In ſummer they bathe twice a week, in a baſon deſtined to that purpoſe in the middle of the court.—They are ſhaved regularly twice a week, and the wages of the barber, who is a convict, form another part of the general ſum deducted from their daily earnings. They change their linen twice a week.

The ruder kinds of labour are performed in the court-yard; thoſe which are more delicate are carried on in various apartments of the ſame ſtory with thoſe in which they ſleep, but in another part of the building.—The workmen are not locked in the rooms: they work under the mutual inſpection of each other, and there are ſeldom more than five or ſix in one work-ſhop.—The turnkeys, who are four in number for the whole houſe, are conſtantly parading in the paſſages, in the courts, and among the priſoners.—Long converſations are for-

bidden; they are allowed to aſk aſſiſtance of each other, and to ſpeak on the ſubject of their mutual wants; but not otherwiſe.—They are forbidden to bawl after one another, or to converſe on the cauſes of their detention, or to reproach each other, on any account; at table the ſame ſilence is preſcribed.

Their breakfaſt and ſupper is a pudding of Indian corn, ſweetened with melaſſes.—At dinner they are allowed half a pound of meat.—They are never, on any account, permitted the uſe of fermented liquors, not even of ſmall-beer.—The prohibition of fermented drink is a ſtanding order, and moſt religiouſly obſerved.—The livelineſs and animation which ſuch liquors might induce in the workmen, is only an artificial and momentary vigour; a cauſe of irritation, heating the blood, and deſtroying the effect of that temperate regimen, which is intended to alter the habit and conſtitution.—The convict, on the contrary, derives ſtrength from ſubſtantial nouriſhment, limited to what is neceſſary.

If the convict diſobeys any order of the houſe, he is warned of his firſt offence by the inſpectors, the gaoler, or the turnkey.—If he offends again, he is put into ſolitary confinement.—This ſolitary confinement is a puniſhment allowed to be inflicted by the gaolar, who is bound,

bound, as ſoon as poſſible, to report what he has done to the inſpectors.—The idler, who refuſes to work, is likewiſe ſent into ſolitary confinement; and for him this puniſhment, beſides its own extreme ſeverity, occaſions his loſing a portion of time and labour, which he muſt make up by his future exertions, ſince the expences of his board continue all the while to be charged to his account.

The four turnkeys are, in their turns, on the watch all night.—Two remain in the inſpectors room, while the others parade in the paſſages of the convicts ſide of the gaol.—Their orders are to awaken the gaoler on the leaſt noiſe, and collect into one body.—The gaoler is to enter the room whence the noiſe proceeds, and conduct the offender into the dreadful ſolitude.—Such caſes have ſeldom occurred.

Solitary confinement is the only puniſhment known in the gaol.—The gaoler and turnkeys are without arms, without dogs; they are even forbidden to carry ſticks, leſt, in a moment of paſſion, they ſhould ſtrike a priſoner, and break in upon that ſyſtem of tranquillity and impartial juſtice, from which is expected ſo much benefit.

The treatment of the women is the ſame with that

of

of the men.—They are confined in a ſeparate wing of the building, and joined to thoſe whom the police has ſentenced for other cauſes.—The only work done in their court-yard is waſhing: they have, however, the free uſe of it.—The number of female convicts is generally about five or ſix.—Silence is leſs rigidly required of them, nor are they ſo exactly ſuperintended as the men; they are leſs numerous; their apartments are kept conſtantly locked; one of them cooks for the reſt; they nurſe each other mutually in diſeaſes, but theſe are few.—The new regimen has, in this reſpect, produced a change, which is remarkably evident, even in the druggiſt's bill, which formerly amounted to two hundred, or three hundred and twenty dollars per quarter, but at preſent ſeldom riſes above forty.—This enormous difference is entirely attributable to the total change of diſcipline which has taken place.—During the former ſyſtem, the irregular government of the priſon was attended with filth and drunkenneſs; and frequent broils produced diſeaſes, wounds, and bruiſes of every kind.—Under the new order, theſe cauſes of evil having ceaſed, the diſorders are confined to colds, or ſuch accidents as are common every where.—Only two priſoners have deceaſed within four years, and thoſe of the ſmall-pox.

Except

Except in caſes of contagious maladies, the ſick priſoners remain in their room; in ſuch caſes, however, they are removed to a ſeparate apartment.

On Sunday the priſoners attend a ſermon, and a lecture delivered by a clergyman, whoſe zeal leads him to undertake the taſk.—As chriſtianity is profeſſed by almoſt every inhabitant of the ſtate, the reading is from the Bible.—The ſermons turn rather upon points of morality than upon articles of faith, and are adapted, as much as poſſible, to the faith and nature of the audience. —All the priſoners, of whatever claſs or ſex, are obliged to attend, thoſe alone excepted who are in ſolitary confinement: but none of the claſſes are intermingled.—In the evening another ſermon is preached, and books are given to thoſe who requeſt them, of a nature fitted to recal them to their duty.

The convicts, on leaving the priſon, receive the overplus of their gains either in money, if the inſpectors conſider that they will not make an improper uſe of it; or in cloathing, in caſe of want of confidence in the diſcretion of the liberated.—There are ſome who diſpoſe of their profits, even during the time of their impriſonment, for the maintenance of their families; and ſuch have been the admirable fruits of the new diſcipline, that

out

out of thoſe who leave the gaol, whether in conſequence of a pardon, or on the expiration of their ſentence, not above two in a hundred ever return to it; while, under the *old ſyſtem*, the priſons were filled with incorrigible and confirmed criminals, who, like thoſe of Europe, carried out more vices than they brought in, abuſed their liberty in the commiſſion of freſh crimes, and were continually returning to their fetters, till they terminated their exiſtence on the ſcaffold.

The ſubjoined table *, and the note which follows it,

* CRIMES.	From Jan. 1787, to June 1791, under the Old Syſtem.	From June 1791 to March 1795, under the Preſent Syſtem.
Murder	9	
Manſlaughter		5
Robbery	39	3
Burglary,	77	16
Larceny	374	163
Forgery	5	10
Counterfeiting	6	4
Miſdemeanor, 1ſt degree	4	3
Do. 2d degree	13	1
Receiving ſtolen goods, 1ſt degree	26	1
Do. 2d degree	6	5
Horſe-ſtealing	10	27
Defrauding	3	3
Bigamy	1	
Violent aſſault to kill	6	
Harbouring convicts	5	
Diſorderly houſes	10	2
Total	394	243

* During the four firſt of theſe eight years, the priſons were peopled from the city and county of Philadelphia only. During the four laſt years, the whole ſtate of Pennſylvania has ſent its convicts in addition.

will afford ſufficient demonſtration of this truth.—By this table it appears, that in the courſe of four years, two hundred and forty-three perſons have been rendered ſerviceable to the world: to whoſe lot, according to the *old ſyſtem*, it would have fallen, either to have diſturbed it as long as they exiſted, or to have been for ever ſequeſtered from ſociety, or loſe their lives under the hand of the executioner.—Let it not be thought that this change in the criminal juriſprudence of the country, or in the diſcipline of its priſons, mitigates too much the condition of the criminals.—Even were this the truth, ſuch indulgence is, perhaps, no evil, ſince the reſult is the advantage of ſociety.—Can the criminal laws of any civilized ſociety propoſe any further or better end.—But the idea itſelf is falſe.—In the firſt place, the certainty of puniſhment is complete.—The accuſed, if he is convicted, may indeed indulge the ſalutary hope, that by his amendment and the goodneſs of his after-conduct, his impriſonment may be ſhortened; but he is certain to undergo the full rigour of his ſentence till the moment of his enlargement.—Juries, who naturally feel repugnant to the puniſhment of death, and incline rather to doubt of, than add ſtrength to the evidence adduced, when they find, as is now the caſe, the puniſh-

ment proportioned to the crime, and are convinced of the utility of the ſcheme, will be leſs averſe to inveſtigate and admit the proofs of guilt.—The executive power alſo has no ſufficient motive to pardon a convict previous to the execution of his ſentence, ſince at any time he has the power of doing it, after the criminal has demonſtrated that he is worthy of the indulgence.

The reſult of this experiment, which already includes four years of trial, is:

1ſt. That many perſons formerly loſt to ſociety are reſtored to it, and become uſeful members of the community, and bring back into it thoſe habits of labour and induſtry, which in every quarter of the globe are the moſt certain and powerful preſervatives againſt wickedneſs and crimes.

2dly. That the expence of their detention does not fall upon the public.—Since the ſtate, which had formerly to ſupport only the expences of repairs, and of ſervants' wages (even before the eſtabliſhment of the nail manufactories *), is at this time burdened with no

* The whole ſum levied upon the county, for the wages of the gaoler and turnkeys, for repairs, &c. amounted only to one thouſand dollars.—It may be proper to add, that during the period in which fetters were made uſe of in the priſon, the blackſmith's bill alone amounted, on an average, to eight hundred dollars; but that at preſent, and for four years paſt, it has not riſen to forty.

part of the expenſe; but has, on the contrary, an exceſs of income ariſing from this fund, which is thrown into the public treaſury, to be employed in other public works *.

The ſucceſs of the *new ſyſtem* is on the point, therefore, of being more complete than HOWARD himſelf had ventured to contemplate: for he conſidered the hope, that the labour of priſoners would defray the expences of their detention as an illuſion †; and yet, thoſe in the gaol of Philadelphia, on their diſmiſſion, beſides paying their expences of every kind, take with them an overplus of profit.—His opinion was, likewiſe, that fetters, and even whipping, were indiſpenſable in the management of priſons ‡; and yet all corporeal correction, as well as irons, are forbidden in this gaol.—And laſtly, the puniſhment of death, which, according to HOWARD,

* As the nail manufacture is continually increaſing, and its profits depend on the number of hands employed in it, a general idea only is given of the profits it affords the houſe, which are poſitive, and already conſiderable.—It is to be wiſhed that a particular ſtatement of the whole expence of the eſtabliſhments, and the produce of each branch of labour, were given to the public, by the inſpectors.—This information, and thoſe details are of great importance, but cannot be brought forward with any confidence by a traveller, deſirous to publiſh nothing but truth.

† Howard on Priſons, Vol. II. p. 41.

‡ Ibid. Vol. II. p. 227. On Priſon Regulations.

the

the law ought ſtill to inflict on houſe-breakers, incendiaries, and murderers in general, is confined here to murderers of the firſt degree.—This puniſhment, ſo often enacted by legiſlators, merely becauſe they were embarraſſed how to diſpoſe of the criminals to whom they granted life, ought then only, according to every principle of morality and ſound policy, to be pronounced, when no other means exiſt of preſerving the community from ſome great peril.—In every other caſe, it becomes a cruelty detrimental to its true intereſts; which, after all, puniſhes the criminal leſs ſeverely *than a rigid and long detention, than that exact and cloſe confinement in ſeparate cells, which leaves the inſulated criminal to the heart-rending recollection of his crimes; condemns him to drag on, in ſad inquietude, long days of liſtleſs uneaſineſs; and makes him feel that he is a ſtranger, and as it were alone in the univerſe* *.

MAY THE NEW CONTINENT, ACCUSTOMED TO RECEIVE FROM EUROPE, THAT ILLUMINATION, WHICH HER YOUTH AND INEXPERIENCE REQUIRE, SERVE, IN HER TURN, AS A MODEL, TO REFORM THE CRIMINAL JURISPRUDENCE, AND ESTABLISH A NEW SYSTEM OF IMPRISONMENT, IN THE OLD WORLD; SEVERE AND TERRIBLE, YET HUMANE

* Duke de Liancourt.

AND

AND JUST.—TO AMERICA, IT MUST BE CONFESSED, WE ARE INDEBTED FOR THE FIRST EXAMPLE.—THE OPINIONS THAT GAVE IT BIRTH, ARE DOUBTLESS OF EUROPEAN ORIGIN.—IN THAT COUNTRY, THE CAUSE OF HUMANITY HAS FOUND ABLE AND ZEALOUS ADVOCATES.—BUT THE ATTEMPT AT AN ALMOST ENTIRE ABOLITION OF THE PUNISHMENT OF DEATH, AND THE SUBSTITUTION OF A SYSTEM OF REASON AND JUSTICE, TO THAT OF BONDS, ILL-TREATMENT, AND ARBITRARY PUNISHMENT, WAS NEVER MADE BUT IN AMERICA.—THE OBSTACLES, TO SUCH AN ATTEMPT, IT MUST BE ACKNOWLEDGED, ARE, IN EUROPE, ALMOST UNSURMOUNTABLE.—BUT THEY WERE NOT SMALL, EVEN IN AMERICA: THEY WERE BELIEVED TO BE GREAT; AND THEY WERE MUCH MULTIPLIED.—THE PREJUDICES OF MOST MEN WERE OPPOSED TO THE INNOVATION; AND, NOTWITHSTANDING THIS, THE COURAGE AND PERSEVERANCE OF A FEW CITIZENS, TERMINATED IN THE HONOURABLE TRIUMPH.

Number of Priſoners puniſhed and diſpoſed of in one Year, in London and its Environs, ending in October 1795.

Died	22
Capitally convicted	61
Sentenced to Tranſportation	174
Impriſoned in Newgate	85
Impriſoned in Bridewell Hoſpital	583
——— in the Houſe of Correction of Middleſex	54
——— in Tothill-Fields Bridewell	37
——— in Surry Gaols	36
Sent to the Philanthropic and Marine Societies	10
Sent to ſerve His Majeſty in the Navy and Army	216
Paſſed to Pariſhes	1282
Sent to Hoſpitals	115
Total	2675

Number Diſcharged.

Diſcharged by Magiſtrates for want of proof	1674
——— by Proclamation and Gaol Delivery	893
——— by Acquittals	418
——— after being whipt	24
——— after being fined	56
——— after ſuffering impriſonment	697
Apprentices diſcharged	149
Offenders bailed out of Priſon	422
Diſcharged by Pardon	129
Total diſcharged	4462

SECT. XX.

PENITENTIARY, OR BETTERING HOUSES.

PENITENTIARY-HOUSES for the confinement of perſons who have not been guilty of great crimes, have, for the laſt twenty years, been conſidered as a very popular mode of puniſhment even in this country; and it cannot be ſufficiently lamented that the excellent laws for giving energy and effect to this ſyſtem have been ſo imperfectly carried into execution.—For, in ſpite of all the diſappointments which have been experienced as to expected utility, wherever ſuch houſes have been erected; the error, upon a minute examination, will be found to have originated in the executive management of them: for this requires an aſſemblage of qualities, diſpoſitions, and endowments, which ſeem rarely to meet in any one man—namely, *an active and diſcriminating mind, joined to a philanthropic diſpoſition—the pureſt morals—no naturally bad propenſity;—and theſe muſt all unite in a perſon to whom ſuch a ſituation ſhould be entruſted.*

That ſuch men are to be found (although ſeldom) is unqueſtionably true.—It is reaſonable to preſume that public advertiſements, offering adequate encouragements, would bring men of great merit and diſcretion forward, whenever it ſhall become the ſyſtem to have recourſe to ſuch a *mode* of application.—Under ſuch ſuperintendance there would be little danger, with the reſources which the metropolis affords, of finding good and productive labour ſuited to the ſituation and former purſuits of the convicts; while proper attention would be beſtowed on the means of working their reformation, and of reſtoring the leſs criminal to ſociety, after a certain period; with a proſpect of becoming uſeful and peaceable members of the community.—It is earneſtly to be hoped, therefore, that the good intentions of the legiſlature will not be defeated, and that the ſalutary meaſure of building and improving penitentiary houſes * in the different counties will be carried into effectual execution, purſuant to the act of the 16th of his preſent Majeſty already mentioned.—And if, in addition to this, the national penitentionary houſes for male and female con-

* Two or three have been erected, and it is much to be lamented that the plan has not been generally purſued. In Cold-Bath Fields a priſon for ſolitary confinement has been built, which, if we *except* the proviſions being too ſcanty, and that the rooms are not warmed by flues in winter, demand public approbation.

victs, propoſed to be built in the vicinity of the metropolis, by the Act of the 19th of GEORGE III. cap. 74. (very recently enlarged by the 34th GEORGE III. cap. 84), a moſt uſeful reſource will be afforded for thoſe who are convicted of larcenies and miſdemeanors, and whoſe puniſhment does not extend to tranſportation.

The number of perſons liberated from the *common priſons* are extremely numerous, as has been already ſhewn *; of whom many hundreds, after a ſhort confinement, are thrown back every day upon ſociety, *without reformation,—without character,—without friends, and without the means of ſubſiſtence.*—The reſult is painful to reflect upon.—They generally reſort to new crimes, to which they are ſeldom ill-diſpoſed, from the education they have received in theſe *ſchools* of profligacy, which they have recently left; and by this kind of gradation the ſlight offender becomes a complete villain.

LET AN APPEAL BE MADE TO THE FEELINGS OF HUMANITY IN BEHALF OF THESE EARLY VICTIMS TO VICE AND CRIMINALITY, AND LET THEIR UNHAPPY SITUATION PLEAD FOR THE ESTABLISHMENT OF THE LOCAL AND NATIONAL PENITENTIARY HOUSES WHICH THE LEGISLATURE HAS AU-

* Vide general view of priſoners puniſhed and diſcharged in one year, p. 296.

THORISED.—BY THIS MEANS, WHILE THE LINK OF CONNECTION WITH THEIR ASSOCIATES IN MISCHIEF IS DESTROYED, YOUTHFUL CRIMINALS WILL BE ARRESTED IN THEIR CAREER OF VILLAINY; AND AFTER A COURSE OF LABOUR, SOBRIETY, AND RELIGIOUS AND MORAL INSTRUCTION, JOINED TO GOOD AND JUDICIOUS DISCIPLINE, ACCURATELY CARRIED INTO EXECUTION, THEY MAY BE ALSO RESTORED TO SOCIETY, WITH MINDS FREED FROM DEPRAVITY, AND WITH SUCH HABITS OF INDUSTRY AND SUCH A DISPOSITION TO LEAD A NEW LIFE AS MAY ENTITLE THEM TO EXPECT EMPLOYMENT: THIS BENEFIT MAY BE SECURED TO THEM BY A CERTIFICATE OF GOOD BEHAVIOUR FROM THE GAOLER, AND INSPECTORS; WHICH MAY REMOVE THEIR FORMER STIGMA, RESCUE THEM FROM THE DREADFUL STATE OF BEING OUTCASTS OF SOCIETY, AND AFFORD THEM AN OPPORTUNITY OF SUPPORTING THEMSELVES BY HONEST LABOUR WHEN THEY ARE ONCE MORE UPON THE WORLD.

THESE PROPOSITIONS ARE NOT THE REFINEMENTS OF SPECULATION DOUBTFUL AND UNCERTAIN IN THEIR ISSUE *.—THE WHOLE SYSTEM ACCORDS

* This was proved in Sect. XIX.

CORDS EITHER WITH WHAT HAS BEEN ALREADY SUGGESTED, IN SUBSTANCE AND EFFECT, BY THE LEGISLATURE; OR WHAT HAS BEEN CONCEIVED TO BE PRACTICABLE, UNDER THE CONTROUL OF AN ABLE AND ACTIVE SUPERINTENDANCE.—IF IMPERFECTIONS IN THE PROGRESS OF THE EXECUTION OF THE DESIGN SHALL BE DISCOVERED, REMEDIES WILL OCCUR.—AND IN A MATTER OF SO MUCH IMPORTANCE TO SOCIETY, AS WELL AS TO THE CAUSE OF HUMANITY, NO GOOD MAN WILL WITHHOLD HIS ADVICE OR ASSISTANCE, WHENEVER IT MAY BE REQUIRED, IN PERFECTING A PLAN, THE OBJECT OF WHICH IS TO RESCUE THOUSANDS YET UNBORN FROM MISERY AND DESTRUCTION.

SECT.

SECT. XXI.

EMPLOYMENT OF CONVICTS.

THE Syſtem of the Hulks commenced on the 12th day of July, in the year 1776; and from that time until the 12th of December 1795, comprehending a period of nineteen years, 7999 convicts have been ordered to be puniſhed by hard labour on the river Thames, and Langſton and Portſmouth harbours *.

The Contractors for theſe places (as appears from documents laid before the Houſe of Commons) entered into an agreement with the Lords of the Treaſury, obliging themſelves, for *the conſideration of* 1*s.* 3*d. per day* (being 22*l.* 16*s.* 3*d.* a year *for each convict*), to provide, at their own coſt or charges, *one* or more *hulks*, to keep the ſame in proper repair, to provide proper ſhips' Companies for the ſafe cuſtody of ſuch convicts;

* In a financial view, the ſyſtem of the hulks is entitled to very ſerious attention; from the year 1776 to 1789, £ 220,873 was expended in maintaining the convicts on the Thames.

Sir John SINCLAIR's *Hiſt. Revenue.*

and

and ſufficient *meat*, *drink*, *clothing*, and *medical aſſiſtance*, for the convicts; as alſo to ſuſtain all other charges: obeying, at the ſame time, all the orders of his Majeſty's principal Secretary of State for the Home Department, reſpecting the convicts.

The terms of theſe laſt contracts appear to be as favourable for Government as could reaſonably be expected, under all circumſtances; and the advantages to the public are the more prominent, as it appears from the ſame documents laid before the Houſe of Commons, that the labour performed by the Convicts is productive in a certain degree,—*as the following ſtatement will ſhew:*

From the 1ſt January 1789 to the 1ſt January 1792, it appears that 653,432 days work had been performed at Langſton Harbour, Portſmouth, and Woolwich Warren; which being eſtimated at 9d. a day, is - -	£24,503 14
and From the 1ſt January 1789 to the 1ſt January 1792, it alſo appears that 260,440 days work had been performed at the Dock-yard at Woolwich; which being partly performed by artificers in a more productive ſpecies of labour, is eſtimated at 1s. a day	13,022 0
Total value of Convicts' labour in 3 years*	37,525 14

* 500 convicts were employed at Woolwich, and 510 at Langſton and Portſmouth, at the time theſe accounts were made up; making in all 1010 perſons.

From

From theſe ſtatements it appears, that the eſtimated labour of the convicts on board the hulks, amounts to about 3-5th parts of the actual expence incurred by their maintenance.—While it is allowed that conſiderable improvements have been made with regard to the reduction of the expence; that proviſion has alſo been made for religious and moral inſtruction, by eſtabliſhed ſalaries to chaplains;—and that the contractors have honourably performed their part of the undertaking; it is much to be lamented that this experiment has not been attended with more beneficial conſequences to the public; not only in rendering the labour of the convicts productive in a *greater degree*, ſo as at leaſt to be equal to the expence, but alſo in amending the *morals* of theſe our miſerable fellow-mortals; ſo that on their return to ſociety, they might, in ſome reſpect, atone for the errors of their former lives, by a courſe of honeſt induſtry, uſeful to themſelves and to their country.—ON THE CONTRARY, *experience has ſhewn that many of them, inſtead of profiting by the puniſhment they have ſuffered (forgetting they were under ſentence of death, and undiſmayed by the dangers they have eſcaped), immediately ruſh into the ſame courſe of depredation and warfare upon the public:* nay, ſo hardened and determined in this reſpect have ſome of them

them been, as even to make propoſals to their old friends, the receivers, previous to the period of their diſcharge, to purchaſe their newly-acquired plunder.—It has already been ſhewn, that thoſe few alſo who are leſs depraved, and perhaps diſpoſed to amend their conduct, can find no reſource for labour; and are thus, too frequently, compelled, by dire neceſſity, to herd with their former aſſociates in iniquity.

Reflecting on this ſyſtem of puniſhment taken in connection with the various facts already detailed, it ſeems not impracticable, by ſome improved arrangements, even to render the hulks an uſeful eſtabliſhment, without the hazard of thoſe injuries to the public, which are at preſent experienced.

To effect this purpoſe, it muſt be laid down as an invariable principle, *that the labour muſt be ſuch as to cover every expence whatſoever*; and *that no convict*, guilty of death, ſhall be permitted to return *upon ſociety*, without the fulleſt atteſtations of good behaviour.

By ſelecting thoſe atrocious offenders, who have forfeited their lives without any claim to mercy, and by adjudging them to ſerve in a courſe of hard labour during the whole of their lives, a more *dreadful example* would be held out to their aſſociates in iniquity, than even

the puniſhment of *death* itſelf: and little doubt can be entertained, that while theſe forlorn outcaſts might be rendered in ſome degree uſeful, their condition, and the dread of a ſimilar doom, would deter many others from the commiſſion of crimes*.

In every part of Great Britain, the labour of man has become extremely valuable.—While the extenſive manufactures of the country occupy the more ingenious handicrafts, men are often, nay always, wanting for the more laborious occupations of *digging in collieries—quarrying ſtones* of different kinds, for *building* and *pavements*; working on the highways—in *raiſing ore* from the numerous *mines* in different parts of the country, where there is an inexhauſtible reſource for human labour.

While the labour of man is ſo valuable; while ſo many public and private undertakings are going on in this country, requiring this labour, it is worthy the moſt ſerious attention that, *in many inſtances*, the ſervice of convicts would be far ſuperior to that of the general run of labourers; from the certainty of having the la-

* Perhaps it would be right for the marriage to be diſſolved, and the children of convicts, unleſs the beſt atteſtation can be given by the clergyman, and ſome reſpectable pariſhioners, concerning the wife, that they be placed in ſome public ſeminary. The good effects of the *Philanthrophic Scheme* is too well known to inſiſt farther upon this plan.

bour

bour performed in a given time, arising from the legal discipline and subordination, which must enter into the system of controul and safe custody; where neither the *alehouse*, nor the *holiday rambles*, will disappoint the employers: as is at present too frequently the case on sudden or important emergencies.

Upon a subject of this kind, of all others the most important to society, it is not necessary to *hazard* vague or *uncertain speculations*.—To men of business, and men of the world, the resource now suggested for the useful employment of convicts is *obvious* and *practicable* at first view.—The labour of man carried to its fullest extent, where a body of people are collected together, may be estimated, at the present period, on an average, at 1 *s.* 8 *d.* a day, even in the coarsest and most servile employment:—But if authority could be exercised, and unnecessary interruptions of labour prevented, the average would be equal to *two shillings* at least: and hence it may be fairly concluded, that to any contractor, who had the means of employing *ablebodied convicts*, their services, while in health, would be worth about 30 *l.* a year.

This will be more obvious, when it is taken into the calculation, that many of these unhappy people have

been bred to uſeful mechanical employments, which might render their labour extremely productive; while others, by conſtant practice, in even the coarſeſt works, ſoon acquire a ſleight or facility in the execution, which enables them to double, and ſometimes to treble, their earnings in the courſe of a year.—This has been manifeſted, in innumerable inſtances, in removing earth, or making embankments for canals and inland navigations. A ſtranger to this ſpecies of labour, of the greateſt bodily ſtrength, cannot, at the outſet, earn near ſo much money as a perſon of not half the athletic powers, who has been accuſtomed to ſuch work.

The ſame reaſoning applies to every kind of labour; and therefore if convicts, deſtined to ſervile employments for life, are not at firſt able to earn the uſual wages, conſtant practice, aided by their own natural genius, will ſoon enable them to reach the *né plus ultra of human exertion*; they would thus be rendered valuable acquiſitions to many enterpriſing and uſeful aſſociations in this kingdom; who would not only be able to give ample ſecurity for their ſafe cuſtody, but alſo for the due performance of every other covenant which might relate to the *preſervation of health*, and to the *food*, *cloathing*, *hours of labour*, and *religious and moral inſtruction*,

tion, of ſuch convicts; as well as for the allowance in money to be made to each out of their earnings.

Let the experiment only be tried at firſt on a ſmall ſcale; and, if the author of theſe pages is not much miſtaken, applications would be made by perſons of great reſpectability, and even premiums offered for an aſſignment of the ſervices of convicts under ſuch circumſtances: thus relieving the public from a very heavy annual expence, and rendering uſeful and productive to the country the labour of the moſt miſchievous part of the community; whoſe atonement in this manner for the injuries they have done to ſociety, by being more immediately under the eye of the public, would probably go further in *preventing crimes* (as has been already repeatedly urged) than even *death* itſelf, or any other mode of puniſhment that could be deviſed.

But though it ſhould not accord with the wiſdom of the legiſlature to permit the labour of convicts to be let out, on contract, to any perſon who can give proper ſecurity for performing the covenants which may be required, there are other methods of rendering their exertions uſeful; by dividing them near the different dock-yards, aſſigning a particular place where they ſhall work by themſelves, in *moving* and *ſawing large timber*, *forg-*

ing

ing anchors, or *making cordage*.—In theſe ſituations, under proper management, their labour would, in a very ſhort time, yield at leaſt double the ſum neceſſary to maintain them; and afford a liberal reſource for thoſe pecuniary encouragements, which would reconcile them to their lot, and induce them to exert all their vigour in rendering their labour productive.

The great error hitherto, already ſufficiently explained, has been in permitting convicts to be at large upon ſociety; after herding together under circumſtances where the certainty of liberty within a known period, excited no other wiſh than to return to their former crimes; encouraged and fortified in wickedneſs, by additional ſources of ill-gained knowledge, for eluding detection and evading the law.

When an atrocious offender has forfeited his life by the laws of his country, and is ready to drop into the grave, with the dread before his eyes of being brought before a higher judgment-ſeat, with all his crimes upon his head:—where is the hardſhip of giving him an option to accept of *perpetual labour*, as the price of life?

A moment's reflection, however, on the operation of this ſpecies of puniſhment would ſhew, that in point of manual labour, the hardſhip to be impoſed is no more

more than every honeſt artiſan, who works induſtriouſly for his family, muſt, *during the whole courſe of his life*, impoſe upon himſelf.—The conditions of a convict would even in ſome reſpects be ſuperior; inaſmuch as he would have medical aſſiſtance, and other advantages tending to the preſervation of health, which do not attach to the lower claſſes of the people; whoſe irregularities, not being reſtrained, and whoſe purſuits and labours, not being directed by good judgment and intelligence, often produce bad health, and extreme poverty and diſtreſs.

But although it is ſuggeſted as a general rule, for the purpoſe of preventing crimes, that no offender who has been condemned to death ſhould ever be at large upon ſociety again, it is by no means meant to inſinuate that the *Royal Mercy* ſhould be entirely ſhut againſt all theſe unhappy outcaſts;—God forbid!—It may happen that ſome of them may well deſerve mercy, after certain probation, and the hope of obtaining it ſhould be kept alive; but in this, *as well as in every other caſe*, it ſurely would be greatly for the intereſt of the public, that free pardons ſhould only be obtained after a long trial of the good behaviour of the convict, for the term of five years

at leaſt; and this ſhould be previouſly underſtood by all perſons applying for pardons.—Quarterly inſpectors ought therefore to be appointed, being perſons of great reſpectability in life.

This is ſurely a moderate requeſt: for as every convict, thus reſtored to ſociety, may be reaſonably ſuppoſed to increaſe the riſk of public injury; a right attaches to the community to expect ſome ſecurity againſt ſuch additional hazard.—And this would probably be granted with the leſs reluctance, as thoſe who generally intereſt themſelves in procuring pardons, do it, either from a belief of the convict's innocence, or from a ſtrong impreſſion that he never will again offend againſt the laws of his country.

THUS MIGHT OUR MURDEROUS CODE OF LAWS BE USEFULLY ABOLISHED, WHICH EXPERIENCE TEACHES US DOES NOT PREVENT CRIMES: FOR THE HARDENED VILLAIN LOOKS UPON DEATH AS A MOMENTARY EVIL, LESS THAN HIS DISTRESSES, AND WHAT HE IS ALREADY DOOMED TO EXPECT FROM THE LAW OF NATURE.—OF THE HUNDRED AND SIXTY CRIMES, WHICH INCUR AT PRESENT THE PENALTY OF DEATH IN OUR LAW, PERHAPS,

MURDER,

MURDER, RAPE, TREASON, AND ONE OR TWO OTHER CRIMES, ALONE DESERVE THAT SEVERE PUNISHMENT, AS THE REFORM OF MAN IS, IN GENERAL, THE DUTY OF THE LEGISLATURE, AND NOT HIS DESTRUCTION.

SECT. XXII.

TRANSPORTATION.

HAVING thus ſuggeſted ſuch expedients as have occurred for improving the ſyſtem of the hulks, or puniſhment by labour in this country; it now remains to examine the facts regarding the preſent mode of *tranſportation* of convicts to NEW SOUTH WALES; with a view to conſider how far any practicable improvements can be introduced alſo into this Syſtem.

The moſt prominent objection is not to the ſpecies of puniſhment: but to the enormous expence attending it *; which could not poſſibly have been foreſeen

* Sir JOHN SINCLAIR (whoſe indefatigable, diſintereſted, uſeful, and patriotic exertions can never be forgotten while there is any gratitude in the nation), in his Hiſtory of the Public Revenue, publiſhed in 1790, Vol. II. page 89, makes the following obſervation.

" About £100,000 has already been laid out in attempting to eſtabliſh a " very unpromiſing colony in New South Wales.—At the moſt moderate " calculation, the puniſhment of petty felons, if the ſame meaſures are pur- " ſued, will coſt above £50,000 *per annum*: an article which has not as yet " been ſtated in any eſtimate of the permanent expences of this country."

at

at the time, otherwiſe it would probably have never been adopted *.

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* From the accounts and papers which were laid before the Houſe of Commons relative to the convicts tranſported to New South Wales, and ordered to be printed, the 8th of April, 1791, and the 10th and 26th of March, 1792: the following expences appear to have been incurred in the courſe of about four years.

1. Expence of the Civil Eſtabliſhment of New South Wales, from the year 1787, to the 10th of October 1790 - - - - - - - - - - - - - - -	£ 13,190	17 1
2. Expence of the Military Eſtabliſhment from the year 1787, to the 1ſt of January 1791 - - - - - -	29,669	16 2
3. Expence of Tranſporting Convicts to New South Wales, as far as the ſame could be made up on the 9th of February 1791 - - - - - - - - - - -	161,075	17 2
4. Coſt of Proviſions and Stores which have been ſent to New South Wales for the maintenance and ſupport of the Settlements there; as far as the ſame could be made up on the 9th of February 1791 - - - - -	84,553	4 8¾
5. Expences of His Majeſty's ſhips *Syrius*, *Supply*, *Guardian*, and *Gorgon*, ſent on ſervice to New South Wales - - - - - - - - - - - - -	95,601	0 0
Total (according to the Statement, printed by order of the Houſe of Commons, 8th of April 1791) - -	384,090	15 8¾
1. Expence of proviſions and ſundry articles ſent to New South Wales, including bills drawn on account of convicts ſent thither; per account, made up to 7th of Feb. 1792 - £ 22,179 12 6		
Carried over - - - £ 22,179 12 6	£ 384,090	15 8¾

The firſt embarkation to NEW SOUTH WALES commenced in 1787, and in the month of May in the following

	Brought over -	£22,179	12	6	£384,090 15 8¾
2. Expence of proviſions and ſtores ſent to New South Wales, for the ſupport of the convicts, including bills drawn; per account, made up to 23d of Feb. 1792 - - - - - - - - -		53,551	17	0½	
3. Expence of clothing, tools, and implements of huſbandry, ſhipped in the Pitt Tranſport; reported 16th of Feb. 1792 - - - - - - - - - -		7,937	5	4	
4. Expence of clothing and neceſſaries, ſhipped in the Kitty Tranſport; reported 16th of Feb. 1792 - - - - -		195	0	0	
5. Specie ſhipped to New South Wales in the Kitty Tranſport; reported 16th of Feb. 1792 - - - - - - - -		1,001	0	0	
6. Cloathing, and other articles, ordered to be provided by an order of Treaſury, dated 5th of Jan. 1792; eſtimated by report 16th of Feb. 1792 at		12,000	0	0	
Total; according to the Statement, printed by an order of the Houſe of Commons, 10th and 26th of March 1792 - - - - - - - - - - - - - - - -					96,864 14 10½
	Aggregate Total				£480,955 10 7¼
*** By the abovementioned Document, the future Civil Eſtabliſhment is fixed annually at - - - - - - - -		£3,856	9	0	
Future annual charge of the Military Eſtabliſhment - - - - - - - -		6,134	7	3	
	Total, from 1791 to 1792 -				9,990 7 3
Total Expence, as far as it could be made up till Feb. 1792					£490,945 17 10¼

lowing

lowing year 1030 male and female convicts were landed on the new colony. In twenty-one months after, there were 77 deaths, and 87 births, in the whole ſettlement; which was divided, by placing a part of the convicts in Norfolk Iſland, a ſmall fertile ſpot, containing only about 14,000 acres of land; and ſituated about 1200 miles diſtant from Sydney Cove, in NEW SOUTH WALES; where the ſeat of government is fixed.—In this project conſiderably above half a million of money has been already expended.—A circumſtance which certainly ſhews the great anxiety of government to deviſe means of puniſhment calculated to rid ſociety of theſe irreclaimable outcaſts, whoſe daily accumulation called for the adoption of ſome expedient to prevent their return upon the public.

Like all new colonial ſettlements, great ſtruggles, ſevere hardſhips, and difficulties, were experienced at the outſet, and for ſome years after were heightened in a very conſiderable degree, by the immenſe diſtance from the mother country, the vaſt length of the voyage, and the difficulty and uncertainty of ſending regular ſupplies; theſe were often felt (notwithſtanding the attention of government) as ſerious evils, ſince the principal ſupport of the colony, for the firſt three years, depended

chiefly on the proviſions, ſtores, and cloathing, which were ſent from England.—And although, with regard to *mere ſubſiſtence*, there is now a proſpect of the colony becoming independent of ſupplies from this country; yet, with reſpect to cloathing and all other articles, its wants will experience no diminution, and humanity requires that they ſhould be attended to.

As the expectation formed of the early ability of the new inhabitants, at leaſt to ſupply all their own wants, ſeems in a great meaſure diſappointed, the deſire to reduce the national expence annually incurred, or to keep it within ſome moderate bounds, will ſuggeſt the idea of *limiting* the tranſportation of felons.—This may be done by inflicting this puniſhment chiefly on thoſe more atrocious offenders, who are not only in the full vigour of youth and health, ſo as to ſupport themſelves by their own labour; but who alſo poſſeſs that rooted depravity which renders it dangerous to hazard their mixing with convicts unacquainted with the vices of the metropolis; or others, who might, according to the idea already ſuggeſted, be rendered uſeful in their native country.—Nothing can be more abſurd than the preſent practice of ſending to ſuch a diſtance the aged, maimed, and infirm.

THUS, BY MEANS OF TRANSPORTATION, WE WOULD SEPARATE FROM THE MASS OF CONDEMNED CRIMINALS, WHO BY ABUSING HAVE FORFEITED THEIR LIBERTY, THE MOST HARDENED AND REPROBATE WRETCHES, WHO MIGHT, BY THEIR CONVERSATION, CONTAMINATE THEIR FELLOW SUFFERERS;—AND THE AGED, LAME, AND DISEASED, SHOULD BE IN A SEPARATE CONFINEMENT, THAT THE EXAMPLE OF INDULGENCE NECESSARY TO BE SHEWN THEM SHOULD NOT OPERATE AS ANY CHECK TO THE EXERTIONS OF THE OTHERS.—IF A MAN WAS WILFULLY IDLE, WE WOULD PURSUE THE MODE FOLLOWED IN HOLLAND. HE SHOULD BE PUT INTO A ROOM, WHERE THERE WERE FOUR OPEN COCKS, AND A LARGE PUMP, AND IN CASE HE WOULD NOT WORK HE MUST BE DROWNED, AND HIS INDUSTRY, BY SUCH A PUNISHMENT, WOULD BE BETTER EXCITED THAN BY CHASTISEMENT, OR PERHAPS EVEN THE DREAD OF SOLITARY CONFINEMENT.

SECT.

SECT. XXIII.

PREVENTION OF CRIMES.

WHILE travelling over ſo extenſive a field, in which we have ſet forth the crimes which infeſt ſociety, and called down upon the offenders *juſtice tempered with mercy*, it may be natural to ſuppoſe, that our voice may meet the ear of ſome who entertain notions very unfavourable to the human race. — Such impreſſions, however, ſhould be cheriſhed with caution.—It muſt be recollected, that extenſive as the injuries appear to be, in the light in which they are placed, in order to appreciate their true amount, they muſt be meaſured by the temptation.—The depredations committed will ceaſe to be a matter of aſtoniſhment, when compared with the vaſt property that is conſtantly afloat; and, on the whole, the evils are, perhaps, not to be imputed ſo much to the *increaſed* or *general depravity* of the *human character*, as to the *deficiency* of the *laws*, in not advancing progreſſively in the means of PREVENTION, in proportion to the introduction of luxury,

ury, and the additional temptations which the influx of wealth, and the intercourſe of commerce, occaſion in every country.—Mankind have ever been the ſame in all ages.—It ought never to be forgotten, that thoſe who have been exhibited in this work as the moſt deformed part of the human race, *were once innocent*; and, many of them at leaſt, became victims to the deficiency which will be ſhewn to pervade the ſyſtem, with reſpect to the PREVENTION OF CRIMES:—charity, then, claims a tear of pity for their forlorn condition; and the ſame principle of benevolence muſt create a deſire, wherever the remedies ſuggeſted here ſtrike the mind as being practicable and proper, to promote their early adoption; that while thoſe who are innocent, but ready to ruſh into the ſame gulph of miſery and crimes, are arreſted in their progreſs, and ſaved to the community; the more depraved, who are already completely abandoned to criminality, may be diſpoſed of in ſuch a manner, as to guard the public againſt their reiterated acts of fraud, violence, and depredation.

LET EVERY GOVERNMENT, THEN, BE PATERNAL.—LET CRIMES BE PREVENTED NOT ONLY BY THE TERROR OF LAW, BUT BY STOPPING THE FOUNTAINS OF INIQUITY, AND LET US SEE, WHE-

THER BY STRIKING THE AXE AT THE ROOT OF THE TREE, SOCIAL LIFE MAY NOT BE WELL ESTABLISHED, SO AS NEARLY TO PRECLUDE THE HORRID AND BARBAROUS PRACTICE OF HOLDING BEFORE THE EYES OF FELLOW-MEN A POOR CREATURE STRUGGLING IN THE AGONIES OF A PREMATURE DEATH.—THE PREVENTION OF CRIMES, BY ATTENDING TO THE MORALS OF THE PEOPLE, AND RENDERING THEIR PERPETRATION MORE DANGEROUS AND UNPROFITABLE, WILL BE THE OBJECT OF THE ENSUING SECTIONS.

SECT

SECT. XXIV.

POLICE.

At the commencement of the troubles in France, it is a curious fact, that the Lieutenant-General of the National Police, as well as that of the Metropolis, had upon his regiſters the names of not leſs than twenty thouſand ſuſpected and depraved characters, whoſe purſuits were known to be of a criminal nature: yet, by making this part of police the immediate object of the cloſe and uniform attention of one branch of the executive government, crimes were much leſs frequent than in England; and the ſecurity extended to the public, with regard to the protection of life and property againſt lawleſs depredation, was infinitely greater. To elucidate this aſſertion, and to ſhew to what a wonderful height the ſyſtem had advanced, the reader is referred to the following anecdotes; which were mentioned to the author by a foreign miniſter of great intel-

ligence and information, who reſided ſome years at the court of France.

" A merchant of high reſpectability in BOURDEAUX had occaſion to viſit the metropolis upon commercial buſineſs, carrying with him bills and money to a very large amount.

" On his arrival at the gates of PARIS, a genteel looking man opened the door of his carriage, and addreſſed him to this effect:—*Sir, I have been waiting for you ſome time; according to my notes, your were to arrive at this hour; and your perſon, your carriage, and your portmanteau, exactly anſwering the deſcription I hold in my hand, you will permit me to have the honour of conducting you to Monſieur De* SARTINE.

" The gentleman, aſtoniſhed and alarmed at this interruption, and ſtill more ſo at hearing the name of the lieutenant of the police mentioned, demanded to know what Monſieur de SARTINE wanted with him; adding, at the ſame time, that he never had committed any offence againſt the laws, and that he could have no right to interrupt or detain him.

" The meſſenger declared himſelf perfectly ignorant of the cauſe of the detention; ſtating, at the ſame time, that when he had conducted him to Monſieur de SARTINE,

TINE, he ſhould have executed his orders, which were merely miniſterial.

" After ſome further explanations, the gentleman permitted the officer to conduct him accordingly.—Monſieur de SARTINE received him with great politeneſs; and, after requeſting him to be ſeated, to his great aſtoniſhment, he deſcribed his portmanteau; and told him the exact ſum in bills and ſpecie which he had brought with him to PARIS, and where he was to lodge, his uſual time of going to bed, and a number of other circumſtances, which the gentleman had conceived could only be known to himſelf.—Monſieur de SARTINE having thus excited attention, put this extraordinary queſtion to him—*Sir, are you a man of courage?*—The gentleman, ſtill more aſtoniſhed at the ſingularity of ſuch an interrogatory, demanded the reaſon why he put ſuch a ſtrange queſtion, adding, at the ſame time, that no man ever doubted his courage.—Monſieur de SARTINE replied,—*Sir, you are to be robbed and murdered this night!—If you are a man of courage, you muſt go to your hotel, and retire to reſt at the uſual hour: but be careful that you do not fall aſleep; neither will it be proper for you to look under the bed, or into any of the cloſets which are in your bed-chamber* (which he accurately deſcribed);

—you muſt place your portmanteau in its uſual ſituation, near your bed, and diſcover no ſuſpicion;—leave what remains to me.—If, however, you do not feel your courage ſufficient to bear you out, I will procure a perſon who ſhall perſonate you, and go to bed in your ſtead.

" After ſome further explanation, which convinced the gentleman that Monſieur de SARTINE's intelligence was accurate in every particular, he refuſed to be perſonated, and formed an immediate reſolution literally to follow the directions he had received: he accordingly went to bed at his uſual hour, which was eleven o'clock. —At half paſt twelve (the time mentioned by Monſieur de SARTINE) the door of the bed-chamber burſt open, and three men entered with a *dark lantern*, *daggers*, and *piſtols*.—The gentleman, who of courſe was awake, perceived one of them to be his own ſervant.—They rifled his portmanteau undiſturbed, and ſettled the plan of putting him to death.—The gentleman hearing all this, and not knowing by what means he was to be reſcued, it may naturally be ſuppoſed was under great perturbation of mind during ſuch an awful interval of ſuſpenſe; when, at the moment the villains were preparing to commit the horrid deed, four police officers, acting under Monſieur de SARTINE's orders, who were concealed

concealed under the bed, and in the cloſet, ruſhed out and ſeized the offenders with the property in their poſſeſſion, and in the act of preparing to commit the murder.

" The conſequence was, that the perpetration of the atrocious deed was prevented, and ſufficient evidence obtained to convict the offenders.—Monſieur de SARTINE's intelligence enabled him to *prevent* this horrid offence of robbery and murder; which, but for the accuracy of the ſyſtem, would probably have been carried into execution."

Another anecdote was mentioned to the author by the ſame miniſter, relative to the Emperor JOSEPH II. That monarch having, in the year 1787, formed and promulgated a new code of laws relative to criminal and civil offences; and having alſo eſtabliſhed what he conceived to be the beſt ſyſtem of police in Europe, he could ſcarcely ever forgive the French nation, in conſequence of the accuracy and intelligence of Monſieur de SARTINE having been found ſo much ſuperior to his own, notwithſtanding the immenſe pains he had beſtowed upon that department of his government.

" A very notorious offender, who was a ſubject of the emperor, and who committed many atrocious acts

of

of violence and depredation at *Vienna*, was traced to *Paris* by the police eſtabliſhed by his Majeſty, who ordered his ambaſſador at the court of France to demand that this delinquent ſhould be delivered up to public juſtice.—

" Monſieur de SARTINE acknowledged to the Imperial Ambaſſador, that the perſon he inquired after had been in *Paris*;—that, if it would be any ſatisfaction, he could inform him where he had lodged, and the different gaming-tables, and other places of infamous reſort, which he frequented while there;—but that he was now gone.——

" The ambaſſador, after ſtating the accuracy and correct mode by which the police of *Vienna* was conducted, inſiſted that this offender muſt ſtill be in *Paris*; otherwiſe the Emperor would not have commanded him to make ſuch an application.

" Monſieur de SARTINE ſmiled at the incredulity of the Imperial miniſter, and made a reply to the following effect:——

" *Do me the honour, Sir, to inform the Emperor, your maſter, that the perſon he looks for left Paris on the* 10*th day of the laſt month; and is now lodged in a back room looking into a garden in the third ſtory of a houſe, number*

93,

93, *in* ——— *ſtreet, in his own capital of Vienna; where his Majeſty will, by ſending to the ſpot, be ſure to find him.*——

"It was literally as the French miniſter of police had ſtated.—The Emperor, to his aſtoniſhment, found the delinquent in the houſe and apartment deſcribed; but he was greatly mortified at this proof of the accuracy of the French police; which, in this inſtance, in point of intelligence *even in Vienna*, was diſcovered to be ſo much ſuperior to his own."——

The fact is, that the French ſyſtem had arrived at the greateſt degree of perfection: and though not neceſſary, nor even proper, to be copied as a *pattern*, might, nevertheleſs, furniſh many uſeful hints, calculated to improve the police of this metropolis, conſiſtent with the exiſting laws; and even to extend and increaſe the liberty of the ſubject without taking one juſt right away; or interfering in the purſuits of any one claſs of individuals; except thoſe employed in purpoſes of *miſchief*, *fraud*, and *criminality*.

In vain do we boaſt of thoſe liberties which are our birthright, if the vileſt and moſt depraved part of the community are ſuffered to deprive us of the privilege of travelling upon the highways, or of approaching the

capital in any direction, after dark, without danger of being aſſaulted and robbed; and perhaps wounded or murdered.

In vain may we boaſt of the ſecurity which our excellent laws afford us, if we cannot lie down to reſt in our habitations, without the dread of a burglary being committed, our property invaded, and our lives expoſed to imminent danger before the approach of the morning.

If, in addition to this, the peace of ſociety can, on every ſpecious pretence, be diſturbed by the licentious clamours or turbulent effuſions ariſing from the ill-regulated paſſions of vulgar life; ſurely it becomes an intereſting inquiry, worthy the attention of every intelligent member of the community; *from* WHAT SOURCE *ſpring theſe numerous inconveniencies*; *and* WHERE *is a remedy to be found for ſo many accumulated evils?*

Prevention of crimes and miſdemeanors, it cannot be too often repeated, is the true eſſence of police;—and this is only to be attained by a ſyſtem of energy directed by ſuch wiſe and legiſlative arrangements, as ſhall enable the civil magiſtrate to throw every poſſible difficulty in the way of offenders.

This indeed is very different from what is ſaid to have

once

once prevailed in the capital, when criminals were permitted to ripen from the firſt ſtage of depravity until they were worth forty pounds.—This is not the ſyſtem which ſubjects the public to the intermediate depredations of every villain from his firſt ſtarting, till he could be clearly convicted of a capital offence.—Neither is it the ſyſtem which encourages public houſes of rendezvous for thieves, for the purpoſe of knowing where to apprehend them, when they became ripe for the puniſhment of death.

The ſyſtem which we now ſuggeſt, is calculated to *prevent*, if poſſible, the ſeeds of villainy from being ſown; —or, if ſown, to check their growth in the bud, and never permit them to ripen at all.

Next to the bleſſings which a nation derives from excellent laws, ably adminiſtered, are thoſe advantages which reſult from a well-regulated and energetic police, conducted with purity, activity, vigilance, and diſcretion.

Upon this depends, in ſo great a degree, the comfort, the happineſs, and the ſecurity of the people, that too much labour and attention cannot poſſibly be beſtowed in rendering the ſyſtem complete.

That much remains to be done in this reſpect no per-

ſon will deny; all ranks muſt bear teſtimony to the inſecurity in which both life and property are at preſent placed, by the number of criminal people, who from various cauſes (which it is the object of the writer of theſe pages to devellop), are ſuffered with impunity to repeat acts of licentiouſneſs and miſchief, and to commit depredations upon the property of the public.

At preſent, the watchmen deſtined to guard the lives and properties of the inhabitants reſiding in near *eight thouſand* ſtreets, lanes, courts, and alleys, and about 162,000 houſes, compoſing the whole of the metropolis and its environs, are under the direction of no leſs than above ſeventy different truſts; regulated by perhaps double the number of local acts of parliament (varying in many particulars from one another), under which the *directors*, *guardians*, *governors*, *truſtees*, or *veſtries*, according to the title they aſſume, are authoriſed to act, —each attending only to their own particular *Ward*, *Pariſh*, *Hamlet*, *Liberty*, or *Precinct*; and varying the payment according to local circumſtances, and the opulence of the particular diſtrict, from 8½*d.* up to 2*s.* each night.

The encouragement being, in many inſtances, ſo ſmall, few candidates appear for ſuch ſituations, who

are really, in point of character and age, fit for the ſituation; the managers have therefore no alternative but to accept of ſuch aged, and often ſuperannuated, men, living in their reſpective diſtricts, as may offer their ſervices: this they are frequently induced to do from motives of humanity, to aſſiſt old inhabitants who are unable to labour at any mechanical employment, or perhaps with a view to keep them out of the work-houſe.

Thus circumſtanced, and thus encouraged, what can be expected from ſuch watchmen?

Aged in general;—often feeble:—and almoſt, on every occaſion, half ſtarved, from the limited allowance they receive; without any claim upon the public, or the leaſt hope of reward held out, even if they performed any meritorious ſervice, by the *detection of thieves and receivers of ſtolen goods*, or idle and diſorderly perſons: and above all, *making ſo many ſeparate parts of an immenſe ſyſtem, without any general ſuperintendance, diſjointed from the nature of its organization*, it is only a matter of wonder that the protection afforded is what *it really is*.—Not only is there ſmall encouragement offered for the purpoſe of inſuring fidelity, but innumerable temptations are held out to diſhoneſty, by receivers of ſtolen goods,

to

to the watchmen and patrols in their vicinity; as well as by thieves and houſebreakers in all ſituations where they contemplate the commiſſion of a burglary.

Money is alſo received from diſorderly perſons in the night, to permit them to eſcape from the juſt puniſhment of the laws; while, on the other hand, unfortunate females are laid under contribution, for permiſſion to infringe the very laws, which it is the duty of theſe nocturnal guardians of the police to put in execution.

Officers of juſtice, who are ſubjected not only to conſiderable riſks, but alſo to want of reſt, and to the inconvenience of being expoſed much in the night-time, ought certainly to be liberally paid; ſo as to make it an object to *good* and *able men* even to look up to ſuch ſituations: but this emolument ſhould, by no means, depend ſolely upon a ſettled annual allowance; it ſhould principally ariſe from *premiums* and *gratuities*, granted by the judges and magiſtrates, for meritorious ſervices to the public, *actually performed*; for which there are ſo many opportunities, that no fit man, acting as a *conſtable*, under ſuch a ſyſtem, and doing his duty conſcientiouſly, need be under any apprehenſion of obtaining a very comfortable livelihood.

In

In caſe of the murder of any public officer in performing his duty, his family ſhould always have ſome proviſion allowed.

The invariable rule of rewarding, in every caſe where it can be made appear that any uſeful public ſervice has been performed, would have a moſt wonderful effect in PREVENTING CRIMES: the expence, if judiciouſly and œconomically managed, need not exceed, in any material degree, *the preſent aggregate* of what is diſburſed in different ways, in all the branches of the police and criminal eſtabliſhment; it might, in fact, be defrayed, as well as every other charge, *by the police itſelf*, from the produce of the *licenſes* propoſed to be granted for regulating *particular claſſes* of *dealers*; by whoſe aid and aſſiſtance, in ſupporting thieves and pilferers, ſuch a ſyſtem is rendered neceſſary.

Let the ſame ſyſtem of moderate rewards alſo be extended to beadles *, for uſeful public ſervice *actually performed*, as is propoſed with regard to officers of juſtice, watchmen, and patrols; and much good will ariſe to the community, without any great additional expence.

* Beadles are, in many inſtances, employed at preſent as local ſuperintendants of the watch within their reſpective pariſhes.

THUS

THUS WOULD WE WISH TO SEE ESTABLISHED AN ENERGETIC POLICE ALL OVER THE METROPOLIS, AND AT A SMALL EXPENCE, CONSIDERING THE SECURITY WHICH WOULD ARISE, AND THE GENEROUS WOULD LOOK ALSO AT THE MERCY OF SUCH A SYSTEM; FOR TOO OFTEN OPPORTUNITY MAKES THE THIEF. —THE GUARDIANS OF THE PUBLIC PEACE SHOULD BE DIVIDED INTO SEVERAL WATCHES *.—CAPTAIN COOK'S GREAT IMPROVEMENT, WHICH HAS BEEN FOLLOWED THROUGHOUT THE NAVY, SHOULD BE COPIED HERE.—HE FORMED HIS SHIP'S COMPANY INTO THREE WATCHES INSTEAD OF TWO. — BY THIS MEANS HE PRESERVED HIS MEN IN HEALTH, LESSENED THEIR FATIGUE, AND INCREASED THEIR VIGILANCE.

* They ſhould be divided into watches; that is, no one ſhould watch above three or four hours, nor ſhould any man know his appointment before hand.

SECT.

SECT. XXV.

PUBLIC HOUSES.

INNUMERABLE temptations occur in a great capital to excite, and afterwards criminally to ſupply, imaginary wants and improper gratifications, not known in ſmaller ſocieties: and againſt which the laws have provided few remedies, applicable in the way of *prevention*.

Accuſtomed from their earlieſt infancy to indulge themſelves in eating and drinking; and poſſeſſing little or no knowledge of that kind of frugality and care which enables well-regulated families to make every thing go as far as poſſible, by good management:—aſſailed alſo by the numerous temptations held out by fraudulent lotteries, and places of public reſort and amuſement; and above all, by the habit of ſpending a great deal of valuable time as well as money unneceſſarily in *public-houſes*; where they are often allured, by low gaming, to ſquander more than they can afford;

ſcarcely an inſtance can be found of accommodating the expenditure to the income, even in the beſt of times, with a conſiderable body of the loweſt and more depraved orders of the people inhabiting the capital: and hence a melancholy concluſion is drawn, warranted by an eſtimate generally aſſumed to be correct, that including gamblers, ſwindlers, and all claſſes of criminal and depraved perſons, "above twenty thouſand indi- "viduals riſe, every morning, without knowing how, "or by what means, they are to be ſupported through "the paſſing day; and in many inſtances even where "they are to lodge on the ſucceeding night."

Allured and deceived by the opportunities which the pawnbrokers and the old iron ſhops afford, to enable labouring people, when they marry, and firſt enter upon life, to raiſe money upon whatever can be offered as a pledge, or for ſale; the firſt ſtep with too many is generally to diſpoſe of wearing apparel and houſehold goods; and this is frequently done on the ſlighteſt occaſion, rather than forego the uſual gratification of liquor.—Embarraſſments are the ſpeedy conſequence of this line of conduct, which is often followed up by idleneſs and inactivity.—The alehouſe is now again reſorted to as a deſperate remedy, where the lazy and diſſolute will

will always find aſſociates, who being unwilling to labour, reſort to crimes for the purpoſe of ſupplying an unneceſſary extravagance.

It is truly pitiable to behold the abject condition of the numerous claſſes of profligate parents, who, with their children, are, from invincible and growing habit, conſtantly to be found in the tap-rooms of public-houſes; ſpending, in two days, as much of their earnings as would ſupport them a week comfortably in their own dwellings; deſtroying their health; waſting their time; and rearing up their children to be proſtitutes and thieves, before they can diſtinguiſh between right and wrong.

In the city of London, and within the bills of mortality, there are at preſent 5204 licenſed public-houſes, and it is calculated that the money expended in beer and ſpirits in theſe receptacles of idleneſs and profligacy, by the *labouring people only*, is upwards of *three millions ſterling a year* *.

A moment's

* If a concluſion may be drawn from the greater degree of ſobriety, which ſeems manifeſted at preſent by the labouring people, evinced by a decreaſe in the number of quarrels and aſſaults, and by the difficulty in obtaining the neceſſaries of life being apparently leſs than in the ſpring of 1795, *notwithſtanding no charities have been diſtributed*, and *bread is conſiderably higher*:—it

 would

A moment's reflection will ſhew how much theſe unfortunate habits tend to deſtroy the moral principle, and to engender crimes.

The period is not too remote to be recollected, when it was thought a diſgrace for a woman (excepting on holiday occaſions) to be ſeen in the tap-room of a public-houſe: but of late years the obloquy has loſt its effect; and the public tap-rooms of many alehouſes are filled with men, women, and children, on all occaſions; where the wages of labour are too often exchanged for indulgencies ruinous to health; and where leſſons of vice and profligacy are imbibed, totally deſtructive of the morals of adults, as well as of the riſing generation.

In tracing the cauſes of the increaſe of public depredation by means of robberies, pilferings, and frauds,

would ſeem reaſonable to attribute this favourable change to the high price of *gin*. This baneful liquor being now in a great meaſure *inacceſſible*, the lower ranks have it in their power to apply the money, formerly ſpent in this way, in the purchaſe of proviſions—perhaps to the extent of an *hundred thouſand pounds a year* in the metropolis alone! If this fact is aſſumed, it is impoſſible to reflect without great ſatisfaction on the actual gain, which reſults to the nation, from the preſervation of the health of perſons whoſe lives are ſhortened by the immoderate uſe of ardent ſpirits.—In the labour of adults, the benefit to the nation, ariſing from ſobriety in the maſs of the people, is at leaſt one hundredfold in length of life, and productive induſtry.

much muſt be attributed to ill-conducted public-houſes.

The proper regulation of thoſe haunts of idleneſs and vice becomes then the *ground-work of any rational plan of reform.*—Infinite attention ought to be beſtowed in the ſelection of perſons fit to be entruſted with licences; as on this depends the preſervation of the morals of the people, in a greater degree than on any one meaſure propoſed in the courſe of this work.

Inſtead of being men of ſober manners and of good moral character, a little inquiry will ſhew that a conſiderable proportion of the preſent alehouſe keepers in the metropolis are men of no reſpectability; diſpoſed to promote drunkenneſs, low games, and every ſpecies of vice that can be the means of increaſing their trade; while not a few of them are connected with highwaymen, common thieves, and coiners, venders and utterers of baſe money.

An ill-regulated public-houſe is one of the greateſt nuiſances which can exiſt in civil ſociety.—Through this medium crimes are increaſed in an eminent degree.—Its poiſon ſpreads far and wide.—It may be truly ſaid to be a ſeminary for rearing up rogues and vagabonds.

It

It is in ſuch houſes that thieves and fraudulent perſons find an aſylum, and conſult how and where they are to commit depredations on the public.—It is here that apprentices, and boys and girls of tender years, are to be found, engaged in ſcenes of lewdneſs and debauchery;—and, in fine, it is in ſuch places that almoſt every vice which diſturbs or interrupts the peace and good order of ſociety, has its origin.

The firſt cauſe of this extenſive evil originates in the number of ſuperfluous houſes which have been inadvertently licenſed.

Of theſe there are ſeldom leſs than *one thouſand* which change maſters every year, in the metropolis alone; and many of them three or four times over.

The reſult is, that while ſo many public-houſes are conſtantly at market, perſons of worthleſs, profligate, and criminal characters, become the purchaſers; and this will ever be the caſe, while no limits are ſet to the number in each diſtrict; and while the preſent *mockery of ſecurity is in practice*, by permitting one publican to be bound for another, in the ſmall penalty of *ten pounds**,

* At preſent the legal recognizance is only for 10 *l.*—It has continued ſo for upwards of 230 years, ſince the reign of Edward VI. when the ſum then fixed on was, according to the preſent decreaſe of the value of money, much more than the 50 *l.* now propoſed.

for

for the performance of duties, the moſt important and ſacred which are known to exiſt in civil ſociety; ſince a breach of them ſaps the foundation of all morals.

OF HOW MUCH IMPORTANCE THEREFORE IS IT FOR MAGISTRATES TO ESTABLISH CORRECT SYSTEMS FOR WATCHING OVER THE CONDUCT OF PUBLICANS, AND FOR REGULATING PUBLIC-HOUSES? —EVERY THING THAT TENDS TO THE PREVENTION OF CRIMES; TO THE COMFORT AND HAPPINESS OF THE LABOURING POOR; AND TO THE ESSENTIAL INTERESTS OF THE STATE, AS REGARDS THE MORALS AND HEALTH OF THE LOWER RANKS, IN CHECKING THEIR PREVAILING PROPENSITY TO DRUNKENNESS, GAMING, AND IDLENESS; DEPENDS, IN A GREAT MEASURE, ON THE VIGILANCE AND ATTENTION OF THE CIVIL MAGISTRATES: WHOSE POWERS TO DO GOOD IN THIS RESPECT SHOULD BE EXTREMELY AMPLE, AND THESE ONLY REQUIRE TO BE EXERTED WITH ATTENTION, MILDNESS, AND PRUDENCE, JOINED TO FIRMNESS AND GOOD JUDGMENT, IN ORDER TO PRODUCE THE HIGHEST GOOD.

LET THEN THE NUMBER OF PUBLIC-HOUSES ASSIGNED TO EACH LICENSING DIVISION BE LIMITED

MITED BY LAW; AND NO NEW HOUSES BE LICENSED, UNLESS THERE SHALL BE AN INCREASE OF INHABITANTS (BY MEANS OF AN ACCESSION OF BUILDINGS OR MANUFACTORIES IN THE NEIGHBOURHOOD) EQUAL TO 150 INDIVIDUALS, INCLUDING THOSE EMPLOYED IN PUBLIC WORKS.

NEXT, LET NO PERSON BE LICENSED UNTIL HE CAN PRODUCE A RESPONSIBLE HOUSEKEEPER, WHO IS NOT A PUBLICAN, TO ENTER INTO A RECOGNIZANCE ALONG WITH HIM FOR HIS GOOD BEHAVIOUR, IN THE SUM OF FIFTY POUNDS; WHICH SHALL BE FORFEITED IF HE PERMITS GAMING, DRUNKENNESS, OR ANY OTHER IRREGULARITIES, TO BE SPECIFIED IN THE RECOGNIZANCE; THE FORM AND OBLIGATION OF WHICH MIGHT BE MODERNIZED, ALTERED, AND AMENDED, TO THE GREAT BENEFIT OF THE PUBLIC.

SECT.

SECT. XXVI.

LICENSES.

ATTACHED to the laws and government of his country, even to a degree of enthuſiaſm, the author of this work will not be too prone to ſeek for greater perfection in other nations; or to quote them as examples to be imitated in the center of the Britiſh empire; and ſtill leſs if ſuch examples ſhould tend, in the ſlighteſt degree, to abridge that freedom which is the birth-right of every Briton.—But as all *true* liberty depends on thoſe fences which are eſtabliſhed in every country, for the protection of the perſons and property of the people, againſt every attack whatſoever: and as *prejudices* ought to be baniſhed from the mind, in all diſcuſſions tending to promote the general weal, we ought not to be aſhamed of borrowing good ſyſtems from other nations; wherever ſuch can be adopted, conſiſtent with the conſtitution of the country, and the liberty of the ſubject.

The author is not ſo preſumptuous as to expect that, in a matter of ſo much importance, thoſe ſuggeſtions which he has offered to the conſideration of the public, are either to be immediately approved of, or ſuddenly adopted.—Some are obvious at firſt view, as preparatory ſteps, in their nature unobjectionable; while others require to be well conſidered and accurately examined.

The neceſſity of licenſing *publicans* has been adopted, and its utility allowed.—What we propoſe here, is that the dealers hereafter to be mentioned ſhall alſo be regiſtered, and ſecurities given; and it would be well, if they were obliged to give in inventories of their property from time to time, to prevent their receiving ſtolen goods: for if there were no receivers, there would be few or no thieves.—The perſons who ſhould have a licenſe, with proper ſecurities, are

1. Publicans licenſed to ſell ale or other liquors.
2. Pawn-brokers.
3. Watch-makers.
4. Buyers of gold and ſilver.
5. Refiners of gold and ſilver.
6. Working and other ſilverſmiths.

7. Dealers

7. Dealers in old and ſecond-hand furniture.

8. Brokers in ſecond-hand goods.

9. Dealers in old building materials.

10. Stable-keepers, and perſons letting horſes for hire.

11. Boilers of horſe-fleſh and other animals for profit.

12. Dealers in old and ſecond-hand naval ſtores, junk, and hand-ſtuff.

13. Dealers in rags and hand-ſtuff.

14. Dealers in ſecond-hand wearing apparel, bed, and table linen.

15. Itinerant dealers in wearing apparel and other articles.

16. Dealers in old iron, braſs, copper, pewter, lead, and other metals.

17. Purchaſers of old iron, braſs, copper, pewter, lead, and other metals for manufacturing.

18. Founders and others keeping crucibles, or other veſſels for melting old metals.

19. Perſons being dealers in any of the above articles, keeping draught or truck carts.

THE SYSTEM OF INSPECTION, THUS STRONGLY AND REPEATEDLY RECOMMENDED, WHILE IT REMEDIED THESE CORRUPT PRACTICES, BY PREVENTING THE EXISTENCE OF THE EVIL, COULD ONLY BE DISAGREEABLE TO FRAUDULENT DEALERS. —THE HONEST AND FAIR TRADESMEN, ENTERING INTO COMPETITION WITH MEN WHO CARRY ON BUSINESS BY FRAUDELENT DEVICES, ARE NOT UPON AN EQUAL FOOTING.—SUCH FAIR TRADERS WHO HAVE NOTHING TO DREAD, WOULD THEREFORE REJOICE AT THE SYSTEM OF INSPECTION WHICH IS PROPOSED, AND WOULD SUBMIT TO IT CHEERFULLY; AS HAVING AN IMMEDIATE TENDENCY TO SHIELD THEM FROM FRAUDULENT COMPETITION, AND TO PROTECT THE PUBLIC AGAINST KNAVERY AND DISHONESTY.

SECT. XXVII.

RECEIVERS.

In contemplating the ſhocking catalogue of human depravity, before the mind ſhall imbibe unfavourable impreſſions, it may be neceſſary to remind the reader, that in order juſtly to appreciate the moral turpitude which attaches to ſuch a hoſt of individuals, in many reſpects deluded and miſled by the numerous temptations which aſſail them, it muſt be meaſured by a ſcale proportioned to the unparalleled extent and opulence of the metropolis, and to the vaſt amount of moving property there.—London is not only the grand magazine of the Britiſh empire, but alſo the general receptacle for the idle and depraved of almoſt every country, and certainly from every quarter of the dominions of the crown; where the temptations and reſources for criminal pleaſures, gambling, fraud, and depredation, as well as for purſuits of honeſt induſtry, almoſt exceed imagination; ſince, beſides being the ſeat of government, and the

centre of faſhion, amuſements, diſſipation, extravagance, and folly, it is not only the greateſt commercial city in the univerſe, but perhaps one of the firſt manufacturing towns that is known to exiſt *.

Under theſe circumſtances, while immorality, licentiouſneſs, and crimes, are known to advance in proportion to riches, it is much to be lamented that in the rapid and progreſſive increaſe of the latter, ſufficient attention has not been beſtowed on the means of checking the enormous ſtrides made by the former.

This is to be attributed principally to thoſe deficiencies and imperfections in the ſyſtem of police, which have been explained and pointed out.

It opens a wide field for doing good, to men of opulence,

* The enſuing abſtract of the imports into, and the exports from, the port of London is made up from the public accounts for one year, ending the 5th day of January, 1795: but differs with regard to the value from theſe accounts; in which the price is eſtimated on data eſtabliſhed many years ago, when the articles of commerce imported and exported were not rated at above half the ſum they now fetch, *excluſive* of duty.

It is therefore to be underſtood, that the following eſtimate is made upon the data of the *preſent value* as nearly as it can be aſcertained. It exhibits a very aſtoniſhing picture of the immenſe opulence and extent of the commerce of the metropolis; and accounts, in a very ſatisfactory manner, for the vaſt reſources of the country, which have been manifeſted in ſo eminent a degree, in the courſe of the preſent and former wars.

Names

lence, talents, and virtue; to *patriots* and *philanthropists* who love their country and glory in its prosperity.

Such

Names of the Countries.	*Value of Imports into London.*	*Value of Exports from the Port of London to Foreign Parts.*	
		Brit. Manufactures.	Foreign Merchandise
Ireland	2,209,501 3 4	168,687 18 3	914,352 4 4
British W. Indies	6,072,117 5 0	2,249,043 13 11	579,453 6 0
Conquered Islands	1,226,064 13 8	260,976 0 11	110,817 18 0
Br. Amer. Colonies	307,412 13 0	654,842 19 4	251,551 6 2
Guernsey & Jersey	91,936 1 2	12,001 13 10	21,616 16 8
Gibraltar	12,947 16 8	83,473 14 11	69,315 2 8
Honduras Bay	14,696 4 2	2,029 18 11	2,550 16 2
South Fishery	197,680 8 6	21 6 8	
Asia, includ. E. Ind.	8,916,950 2 10	3,398,680 1 4	185,190 16 0
Africa	66,013 8 4	90,593 12 9	188,743 16 6
Turkey	641,860 19 2	32,065 12 0	123,776 7 2
Streights	8,389 14 0		
Venice	82,107 16 0	6,203 17 11	16,305 7 2
Italy	1,215,012 15 0	80,980 18 9	340,786 0 8
Spain	1,070,697 18 0	205,096 4 4	265,169 3 4
Portugal	644,610 3 8	182,780 6 2	119,813 12 6
Madeira	7,479 16 8	27,998 6 10	6,886 18 2
Canaries	6,763 19 10	20,116 18 4	377 5 2
France	130 6 8	3,216 5 3	63,625 10 6
Austrian Flanders	137,249 5 0	129,413 9 7	887,642 18 10
Holland	1,203,515 3 6	114,458 3 7	1,968,687 3 4
Germany	1,089,307 19 4	1,044,634 18 0	6,176,100 14 8
Prussia	196,657 3 2	54,380 14 0	272,719 17 4
Poland	104,978 10 4	7,022 11 10	57,067 2 4
Sweden	262,727 3 4	33,845 5 6	111,457 14 4
Russia	1,269,688 9 6	95,519 8 8	491,244 9 2
Denmark & Norway	166,366 1 0	147,340 5 11	545,509 19 8
Greenland	26,753 11 2		
U. States of America	811,511 18 8	2,251,280 12 1	420,248 7 8
Florida	16,239 16 0	38,067 0 3	8,855 0 0
Foreign West Indies	56,240 2 0	1,767 13 10	60 0 0
Prize Goods	1,572,868 8 8		included in the ac. of each country.
£	29,706,476 : 17 : 4	11,396,539 : 13 : 8	14,208,915 : 14 : 6

RECA-

Such men will ſpeedily diſcover through this medium, that, like the Roman government when enveloped in riches

RECAPITULATION.

The aggregate value of goods imported into London in one year - - - - - - - -			£29,706,476 17 4
Britiſh merchandiſe exported -	£11,396,539 13 8		
Foreign merchandiſe, ditto -	14,208,915 14 6		
			25,605,455 8 2
Value of goods imported in upwards of 9000 coaſting veſſels, averaged at £500 each	£4,500,000 0 0		
Value of goods exported coaſtways in about 7000 veſſels, at £1000 each - -	7,000,000 0 0		
			11,500,000 0 0
Total amount of property ſhipt and unſhipt in the River Thames in the courſe of a year, eſtimated at -			£66,811,932 : 5 : 9

Beſides the numerous ſmall inland cargoes of coals, merchandiſe, grain, malt, flour, and other articles, laden and diſcharged in the Thames, and the River Lee; and alſo the tackling, apparel, proviſions, and ſtores, of above 13,500 ſhips and veſſels (including their repeated voyages), which lade and unlade in the courſe of a year, eſtimated (in what may be called *moving property*, liable to depredation and plunder) at *four millions* ſterling more!

London, from being a great *depot* for all the manufactures of the country, and alſo the goods of foreign nations as well as colonial produce, is not only the firſt commercial city that is known at preſent to exiſt, but is alſo one of the greateſt and moſt extenſive manufacturing towns perhaps in the world; combining in one ſpot every attribute that can occaſion an aſſemblage of moving property, unparalleled in point of extent, magnitude, and value, in the whole globe. From inquiry, it appears that above 13,500 veſſels, including their repeated voyages, arrive at, and depart from, the port of London, with merchandiſe, in the courſe of a year; beſides a vaſt number of river

riches and luxury, the national proſperity may be of ſhort duration; that the ſame calamities are to be dreaded wherever public morals are neglected, and no effectual meaſures adopted for the purpoſe either of checking the alarming growth of depravity and crimes, or of guarding the riſing generation againſt evil examples;

river craft, employed in the trade of the interior country, bringing and carrying away property, eſtimated at *ſeventy millions ſterling.*—

In addition to this, it is calculated, that above 40,000 waggons and other carriages, including their repeated journies, arrive and depart laden, in both inſtances, with articles of domeſtic, colonial, and foreign merchandiſe; occaſioning a tranſit of perhaps (when cattle and proviſions, ſent for the conſumption of the inhabitants, are included) *fifty millions more.* If we take into the account the immenſe quantity of merchandiſe and moveable property of every ſpecies and denomination, depoſited in the various *maritime magazines, timber-yards, piece-goods' warehouſes, ſhops, manufactories, ſtore houſes, public markets, dwelling-houſes, inns, new buildings,* and *other repoſitories,* and which paſs from one place to another, it will eſtabliſh a foundation for ſuppoſing that, in this way, property to the amount of *fifty millions* more at leaſt, is annually expoſed to depredation; making a ſum of *one hundred and ſeventy millions,* independent of the moving articles in ſhips of war and tranſports, and in the different arſenals, dock-yards, and repoſitories in the Tower of London, and at Deptford, Woolwich, Sheernefs, and various ſmaller magazines, in the daily courſe of being received and ſent away, ſuppoſed to amount to *fifty millions* more; making in the whole an aggregate ſum of *two hundred and twenty millions.* Thus an immenſe property becomes exceedingly expoſed, in all the various ways; and the *eſtimated* amount of the *annual depredations* (large as it is) will ceaſe to be a matter of ſurpriſe, if meaſured by the enormous ſcale of property above particularized: although it amounts to *two millions one hundred thouſand pounds* ſterling, it ſinks to a trifle, in contemplating the magnitude of the capital, *ſcarcely reaching one per cent. on the value of property paſſing in tranſit in the courſe of a year.*

which are exhibited in the metropolis, perhaps in a greater degree than was ever before experienced, particularly among the lower ranks of ſociety.

It is therefore earneſtly to be wiſhed, that the nature of this work may excite in the public mind an ardent deſire for the adoption of ſuch remedies as ſhall apply to the improvement of the morals of the people, as well as to remove the danger and inſecurity which at preſent exiſt; and which unqueſtionably muſt be greatly augmented at the concluſion of the war, by the return of a multitude of delinquents to their aſſociates in iniquity.

The ſole intention of the author, in pointing out theſe accumulated wrongs, is to ſecure the inhabitants of this country againſt the alarming conſequences to be dreaded from the exiſtence of ſuch an atrocious and criminal confederacy.—That this may be the more eaſily effected, in all inſtances where *evils* are repreſented to exiſt, *remedies* are uniformly propoſed: and theſe are ſuch as have forced themſelves upon the mind, more from practical obſervation, than by indulging in ſpeculative theories.—They are ſuggeſted under a conviction that they perfectly accord with the ſpirit of the laws; and that their adoption will be practicable, *without diſturbing the conſtitution which at preſent exiſts.*

One of the chief nurſeries of crimes is to be traced to the *receivers* of ſtolen property.

If theſe miſchievous and criminal aſſiſtants were not ſuffered to exiſt, there would be fewer encouragements to criminal depredations upon the public.

Without that eaſy encouragement which receivers hold out, by adminiſtering immediately to the wants of criminals, and concealing what they purloin, a thief, a robber, or a burglar, could not carry on his trade.

And yet, concluſive and obvious as this remark muſt be, it is a ſorrowful truth, that in the metropolis alone there are at preſent ſuppoſed to be upwards of *three thouſand receivers* of various kinds of ſtolen goods; and an equal proportion all over the country, who keep open ſhop for the purpoſe of purchaſing at an under-price—often for a mere trifle,—every kind of property brought to them; from a nail, or a glaſs-bottle, up to the moſt valuable article either new or old; and this without aſking a ſingle queſtion.

It is ſuppoſed that the property, which is purloined and pilfered, in a little way, from almoſt every *family*, and from every *houſe*, *ſtable*, *ſhop*, *warehouſe*, *workſhop*, *foundery*, *and other repoſitory*, in and about the metropolis, cannot amount to leſs than £710,000 a year,

excluſive of what is pilfered from ſhips in the River Thames; which, it is calculated, according to eſtimates which have been made, amounts to about half a million ſterling more, including the ſtores and materials!—When to this is alſo added the pillage of his majeſty's ſtores, in ſhips of war, dock-yards, and other public repoſitories, the aggregate will be found, in point of extent, almoſt to exceed credibility!

It is a melancholy reflection to conſider how many individuals, young and old, who are not of the claſs or deſcription of common or even reputed thieves, are implicated in this ſyſtem of depredation; who would probably have remained honeſt and induſtrious, had it not been for the eaſy and ſafe mode of raiſing money, which theſe numerous *receivers* of ſtolen goods hold out, in every bye-ſtreet and lane in the metropolis: in their houſes, although a beggarly appearance of old iron, old rags, or ſecond-hand clothes, is only exhibited, the back apartments are often filled with the moſt valuable articles of ſhip ſtores, copper bolts and nails, braſs and other valuable metals, Weſt-India produce, houſehold goods and wearing apparel; purchaſed from artificers, labourers in the docks, lumpers, glutmen, menial ſervants, apprentices, journeymen, porters, chimney-ſweepers,

ſweepers, itinerant Jews, and others; who, thus encouraged and protected, go on with impunity, and without the leaſt dread of detection, in ſupplying the numerous imaginary wants which are created in a large capital, by plundering every article not likely to be miſſed, in the houſes or ſtables of men of property; or in the ſhops, warehouſes, founderies, or work-ſhops of manufacturers; or from new buildings, from ſhips in the river, and alſo from his Majeſty's ſtores, and other repoſitories; ſo that in ſome inſtances, the ſame articles are ſaid to be ſold to the public boards three or four times over.

Thus the moral principle is totally deſtroyed among a vaſt body of the lower ranks of the people; for whereever prodigality, diſſipation, or gaming, whether in the lottery or otherwiſe, occaſions a want of money, they avail themſelves of every opportunity to purloin public or private property; recourſe is then had to all thoſe tricks and devices, by which even children are enticed to ſteal before they know that it is a crime; and to raiſe money at the pawnbrokers, or the old iron or rag ſhops, to ſupply the unlawful deſires of profligate parents.

Hence alſo, ſervants, apprentices, journeymen, and in

in ſhort, all thoſe claſſes of labouring people who have opportunities of purloining the property of their maſters, their employers, or the public, are led aſtray by the temptations to ſpend money, which occur in this metropolis, and by the facility afforded through theſe numerous *receivers* of ſtolen goods; who adminiſter to their pecuniary wants, on every occaſion, when they can furniſh them with any article of their ill-gotten plunder.

The deficiency of our criminal laws, in not extending ſome regulations to this numerous claſs of dealers in old metal, ſtores, and wearing apparel, is too obvious to require illuſtration; and their ſucceſs in encouraging depredations, as well as the progreſſive accumulation of theſe peſts of ſociety is proved, by their having increaſed, from about 300 to 3000 in the courſe of the laſt twenty years, in the metropolis alone!

The like deficiency extends alſo to the more latent receivers, who do not keep open ſhop; but ſecretly ſupport the profeſſed robbers and burglars, by purchaſing their plunder the moment it is acquired; of which latter claſs there are ſome who are ſaid to be extremely opulent.

Many regulations of police, as well as ſalutary laws, might

might be uſefully eſtabliſhed, for the purpoſe of checking and embarraſſing theſe criminal people, ſo as to render it extremely difficult, if not impracticable for them in many inſtances, to carry on their buſineſs without the greateſt hazard of detection.

But ſuch laws muſt not be placed upon the ſtatute-book as a kind of dead letter, only to be brought into action when accident may lead to the detection, perhaps of one in a thouſand.

If the evil is to be cured at all, it muſt be by ſuch plans as will eſtabliſh an active principle, under proper ſuperintendance, calculated to prevent every claſs of dealers, who are known to live partly or wholly by fraud, from purſuing thoſe illegal practices; which nothing but a watchful police, aided by a correct ſyſtem of reſtraints, can poſſibly effect.

Such reſtraints, while they will aſſiſt the honeſt and fair dealer, will alſo protect the public, as well as merchants, and all ranks of the community, who have any property to loſe, from the numerous depredations and thefts which are now committed; and the moral principle will be alſo, in ſome degree, preſerved, by reaſon of the difficulties which will occur in the diſpoſal of ſtolen property.

Nor

Nor ought it to be argued, that the reſtraints which may hereafter be propoſed, will affect the liberty of the ſubject; ſince it is perfectly conſiſtent with the ſpirit of our ancient laws, to reſtrain perſons from doing evil, who are likely to commit offences; the reſtrictions can affect only a very few, comparatively ſpeaking; and thoſe too ſuch whoſe criminal conduct has been the principal, if not the ſole cauſe, of abridging the general liberty; while it ſubjected to riſk, and to danger of life and property, the great maſs of the people.

Whenever dealers, of any deſcription, are known to encourage or to ſupport crimes, or criminal or fraudulent perſons, it becomes the indiſpenſable intereſt of the ſtate, that they ſhould be reſtrained from purſuing at leaſt the miſchievous part of their trade; and that proviſions ſhould be made for carrying the laws ſtrictly and regularly into execution.

Reſtraints of a much ſeverer nature attach to all trades upon which a revenue is collected; can it then be conſidered as any infringement of freedom, to extend a milder ſyſtem, to thoſe who not only deſtroy liberty but invade property?

The preſent ſtate of ſociety and manners calls aloud for the adoption of this principle of regulation, as the only

only practicable means of preſerving the morals of a vaſt body of the community; and of preventing thoſe numerous and increaſing crimes and miſdemeanors, which are ultimately attended with as much evil to the perpetrators as to the ſufferers.

If ſuch a principle were once eſtabliſhed, under circumſtances which would inſure a correct and regular execution; and if, added to this, certain other practicable arrangements ſhould take place (which will be diſcuſſed in their regular order in theſe pages) we might ſoon congratulate ourſelves on the immediate and obvious reduction of the number of thieves, robbers, burglars, and other criminal and fraudulent perſons in this metropolis.—Not being able to exiſt, or to eſcape detection, without the aid, the concealment, and the opportunities, afforded at preſent by the multitude of receivers ſpread all over the capital, they would be compelled to abandon their evil purſuits, as no leſs unprofitable and hazardous, than they are deſtructive.

Let the ſtrong arm of the law, and the vigour and energy of the police, be directed in a particular manner againſt *receivers*; and the chief part of thoſe robberies and burglaries, which are ſo much dreaded, on account of the acts of violence which attend them, *would abſo-*

lutely ceaſe to exiſt:—and the reſource for plunder being thus narrowed in ſo great a degree, robberies on the highway would *alone* ſeldom anſwer the purpoſe of the adventurer; where the riſk would be ſo exceedingly multiplied, while the advantages were in the ſame proportion diminiſhed;—the reſult therefore would be, that in *the ſuppreſſion of the receivers*, the encouragement to become thieves and robbers would be taken away: and the preſent depredators upon the public muſt either return to honeſt labour as uſeful members of the ſtate, or ſubmit to ſtarve.

It rarely happens that thieves go upon the highway, or commit burglaries, until the money they have previouſly acquired is exhauſted.—Having laid their plans for new depredations, a negociation is frequently entered upon with the moſt favourite receiver, who (to uſe their own language) is likely to be *ſtaunch*, and to keep their ſecrets.—The plan is explained.—Some liquor is drank to the good of the enterprize, and the hour fixed when they are to return with the booty: if plate is expected, the crucible is ready in a ſmall furnace, built for the purpoſe, inſtantly to melt it, and arrangements are made for the immediate concealment of the other articles.

There

There are, however, exceptions to this rule, where the receivers are not truſted, till the booty is acquired; and where it is in the firſt inſtance removed to the houſes of the thieves, or to ſome of their friends; but it ſeldom remains longer than may be neceſſary to obliterate the marks: for money muſt be procured.—All thieves are improvident;—their wants are therefore preſſing—they *muſt* ſell—the receiver knows this, and makes his own terms;—and he of courſe enjoys by far the largeſt ſhare of the profit.

The plunder thus purchaſed, finds a ready vent, through the extenſive connections of the Jew dealers, both in this country and upon the continent: and from the facts already ſtated in the courſe of this work, it may be eaſily conceived that the trade is not only extenſive, but that the profit is immenſe, ſince it rarely happens (except in the article of plate) that thieves receive to the amount of above one third or one fourth of the value of what is ſtolen.

In contemplating the beſt means of preventing depredations upon the public, the ſimpleſt, and perhaps the moſt effectual, mode would be to *make a ſtand at this particular point*; by bending the attention *wholly* to the

means of deſtroying effectually *the trade of receiving ſtolen goods*; under the fulleſt conviction that by accompliſhing ſo valuable a purpoſe, thieving and ſwindling in all its branches would alſo in a great meaſure be deſtroyed.

It is believed, that this object (difficult as it may appear) is attainable, by well-digeſted applicable laws, containing and enforcing ſuch regulations as would enſure a full and energetic execution.

The importance of a meaſure of this kind is ſo immenſe, that if even a conſiderable part of one ſeſſion of parliament were employed in deviſing and legalizing a proper ſyſtem, it would be time well and uſefully ſpent for the benefit of the country.

The obvious means of remedy ſeem to lie within a narrow compaſs; and may be ſummed up under the following heads:—

I. To conſolidate and improve the laws now in being, relative to *receivers of ſtolen goods*; by an arrangement which ſhall render the whole *clear* and *explicit*, and applicable to all the evils which have been felt to exiſt.

II. To

II. To make the following additions, namely—

1. To make the receiving ſtolen goods an *original offence*; puniſhable in the ſame manner, in all caſes, as the principal felons are puniſhable by law.

2. The offence of receiving *money*, *bank-notes*, *horſes*, *cattle*, *poultry*, or *any matter* or *thing whatſoever*, to be the ſame as receiving *goods* and *chattels*.

3. The perſons committing any felony or larceny to be competent to give evidence againſt the receiver, and *vice verſa*; provided that the teſtimony and evidence of ſuch principal felon againſt the receiver, or the evidence of the receiver againſt the principal felon, ſhall not be of itſelf ſufficient to convict, without other concurrent evidence: and that the offenders ſo giving evidence ſhall be entitled to his Majeſty's pardon, and alſo to a reward from 10*l.* to 50*l.* unleſs they ſhall be found guilty of wilful and corrupt perjury. — *By this means the thief will be ſet againſt the receiver, and the receiver againſt the thief.*

4. That rewards be paid for the detection and apprehenſion of receivers as well as thieves, in all caſes whatſoever, according to the diſcretion of the judge; *whether*

whether there ſhall be a conviction or not; which reward ſhall not be leſs than *ten*, and may extend to *fifty pounds*.

5. That all dealers in *old metals, rags, and handſtuff, ſecond-hand naval ſtores, ſecond-hand wearing apparel, itinerant dealers in wearing apparel and metals, perſons keeping crucibles and melting-pots, perſons keeping draught or truck carts to remove metals or ſtores*, ſhall be licenſed annually by magiſtrates, and put under certain regulations, and ſhall enter into recognizance for their good behaviour: and that no licenſes be granted to perſons convicted of felony or perjury, or to any but ſuch as can obtain and produce a certificate of good character.

6. That all *publicans, pawnbrokers, watchmakers, buyers of gold and ſilver, refiners of gold and ſilver, working and other ſilverſmiths, dealers in ſecond-hand furniture, brokers in ſecond-hand goods, dealers in old building materials, dealers in dead horſes and other animals, and narrow weavers dealing in raw ſilk*, ſhall annually make a return to the magiſtrates of the diſtrict, where they reſide, of their names and places of abode; and be ſubject to ſevere puniſhment for concealing

cealing any ſtolen goods which may come into their poſſeſſion, after the ſame are advertiſed;—or puniſhed with tranſportation, if it can be made appear that ſuch goods were purchaſed at an under-value, knowing them to be ſtolen.

SECT.

SECT. XXVIII.

INSURANCES, ETC.

IT has been often obſerved in this work, *that government was deſigned for the benefit of the governed*, and therefore ought to be *paternal*.—The principle is too often forgot, and the bread of the people for the ſake of revenue is converted into poiſon, and the ſeeds of the worſe vices are implanted from the ſame indefenſible motive.—Lotteries are eſtabliſhed, and men become rich without induſtry, and the worſe crimes are engendered, and the only excuſe given is, "money muſt "be got."

Previous to the years 1777 and 1778, *gaming*, although at all times an object (as appears from the ſtatute books) highly deſerving attention, and calling for the exertions of magiſtrates, never appeared either to have aſſumed ſo alarming an aſpect, or to have been conducted upon the methodized ſyſtem of partnerſhip-con-

cerns, wherein pecuniary capitals are embarked, till after that period, when the vaſt licenſe which was given to thoſe abominable engines of fraud, E O tables, and the great length of time which elapſed before a check was given to them by the police, afforded a number of diſſolute and abandoned characters, who reſorted to theſe baneful ſubterfuges for ſupport, an opportunity of acquiring property: this was afterwards increaſed in low gaming-houſes, and by following up the ſame ſyſtem at Newmarket and other places of faſhionable reſort, and in the lottery: until at length, without any property at the outſet, or any viſible means of lawful ſupport, a ſum of money, little ſhort of *one million ſterling*, is ſaid to have been acquired by a claſs of individuals originally (with ſome few exceptions) of the loweſt and moſt depraved order of ſociety.—This enormous maſs of wealth (acquired, no doubt, by entailing miſery on many worthy and reſpectable families, and of driving the unhappy victims to acts of deſperation and ſuicide), is now ſaid to be engaged as a great and efficient capital for carrying on various illegal eſtabliſhments; particularly gaming-houſes, and ſhops for fraudulent inſurances in the lottery; together with ſuch objects of diſſipation as the races at Newmarket, and other places of *faſhionable* re-

ſort, hold out: all which are employed as the means of increaſing and improving the ill-gotten wealth of the parties engaged in theſe nefarious purſuits.

A ſyſtem, grown to ſuch an enormous height, had, of courſe, its riſe by progreſſive advances.—Several of thoſe who now roll in their gaudy carriages, and aſſociate with ſome men of high rank and faſhion, may be found upon the regiſters of the Old Bailey; or traced to the vagrant purſuit of turning, with their own hands, E O tables, in the open ſtreets: theſe miſchievous members of ſociety, through the wealth obtained by a courſe of procedure diametrically oppoſite to law; are, by a ſtrange perverſion, ſheltered from the operation of that juſtice, which every act of their lives has offended: they baſk in the ſunſhine of proſperity; while thouſands, who owe their diſtreſs and ruin to the horrid deſigns thus *executed*, *invigorated*, and *extended*, are pining in miſery and want.

Certain it is, that the miſchiefs ariſing from the rapid increaſe, and from the vaſt extent, of capital now employed in theſe ſyſtems of ruin and depravity, have become great and alarming beyond calculation; as will be evinced by developing the nature of the very dangerous confederacy which ſyſtematically moves and directs this

vaſt

vaſt machine of deſtruction—compoſed in general of men who have been reared and educated under the influence of every ſpecies of depravity which can debaſe the human character.

Wherever intereſt or reſentment ſuggeſt to their minds a line of conduct calculated to gratify any baſe or illegal propenſity, it is immediately indulged.—Some are taken into this iniquitous partnerſhip for their dexterity in ſecuring the dice; or in dealing cards at pharo.—Informers are apprehended and impriſoned upon writs, obtained by perjury, to deter others from ſimilar attacks.—Witneſſes are ſuborned—officers of juſtice are bribed, wherever it can be done, by large ſums of money—ruffians and bludgeon-men are employed to reſiſt the civil power, where pecuniary gratuities fail—and houſes are barricadoed and guarded by armed men: thereby offering defiance to the common exertions of the laws, and oppoſing the regular authority of magiſtrates.

It is impoſſible to contemplate a confederacy thus circumſtanced, ſo powerful from its immenſe pecuniary reſources, and ſo miſchievous and oppreſſive from the depravity which directs theſe reſources, without feeling an anxiety to ſee the ſtrong arm of the law exerted for the purpoſe of effectually deſtroying it.

Whilſt one part of the immenſe property by which this confederacy is ſo ſtrongly fortified is employed in the eſtabliſhment of *gaming-houſes*, holding out the moſt faſcinating allurements to giddy young *men* of fortune, and others, having acceſs to money, by means of ſplendid entertainments*, and regular ſuppers, with abundance of the choiceſt wines, ſo as to form a genteel lounge for the diſſipated and unwary; another part of the capital is ſaid to form the ſtock which compoſes the various pharo-banks which are to be found at the routes of *ladies of faſhion:* thus drawing into this vortex of iniquity and ruin, not only the *males*, but alſo the *females*, of the giddy and opulent part of ſociety; who too eaſily become a prey to that thoughtleſs vanity which frequently overpowers reaſon and reflection; nor is the deluſion terminated till it is often too late.

Evil example, when thus ſanctioned by apparent reſpectability, and by the dazzling blandiſhments of rank and faſhion, is ſo intoxicating to thoſe who have either ſuddenly acquired riches, or who are young and inexperienced, that it almoſt ceaſes to be a matter of wonder

* The expence of entertainments at a gaming-houſe of the higheſt claſs, during the eight months of the laſt ſeaſon, has been ſaid to exceed *ſix thouſand guineas!* What muſt the profits be to afford ſuch a profuſion?

that

that the fatal propenſity to gaming has become ſo univerſal; extending itſelf over all ranks in ſociety in a degree ſcarcely to be credited, but by thoſe who will attentively inveſtigate the ſubject.

At the commencement of the troubles in France, and before this country was viſited by the hordes of emigrants of all deſcriptions, who fixed a temporary or permanent reſidence in this metropolis, the number of gaming-houſes (excluſive of thoſe that are ſelect, and have long been eſtabliſhed by ſubſcription) did not exceed above *four* or *five:* at the preſent moment, above *thirty* are ſaid to be actually open; where, beſides *pharo* and *hazard*, the foreign games of *roulet*, and *rouge et noir*, have been partly introduced; and where there exiſts a regular gradation of eſtabliſhment, accommodating to all ranks; from the man of faſhion, down to the thief, the burglar, and the pick-pocket—where immenſe ſums of money are played for every evening, for eight months in the year, and from whence incalculable miſchiefs ariſe.

In a commercial country, and in a great metropolis, where, from the vaſt extent of its trade and manufactures, and from the periodical iſſue of above twenty millions annually, ariſing from dividends on funded ſecurity,

curity, there muſt be an immenſe circulation of property, the danger is not to be conceived, from the allurements which are thus held out to young men in buſineſs, having the command of money, as well as to the clerks of merchants, bankers, and others concerned in different branches of trade: in fact, it is well known, that too many of this claſs reſort at preſent to theſe deſtructive ſcenes of vice, idleneſs, and misfortune.

The mind ſhrinks with horror at the exiſtence of a ſyſtem in the metropolis, unknown to our anceſtors, even in the worſt periods of their diſſipation; when a *Ward*, a *Waters*, and a *Chartres*, inſulted public morals by their vices and their crimes: for then no regular eſtabliſhments—no ſyſtematic concerns for carrying on this nefarious trade, were known.—Partnerſhip in gaming-houſes, conducted on the principles of commercial eſtabliſhments, is a new idea in this country; and, until the laſt ſeven or eight years, had very little footing in the metropolis.

But theſe partnerſhips are not confined to gaming-houſes alone.—A conſiderable proportion of the immenſe capital which the conductors of the ſyſtem poſſeſs, is employed periodically in the *two lotteries*, in *fraudulent inſurances*, where, like the pharo bank, the chances are

ſo calculated as to yield about 30 *per cent.* profit to the gambling proprietors; and, from the extent to which theſe tranſactions are carried, no doubt can be entertained that the annual gains muſt be immenſe.—It has, indeed, been ſtated, with an appearance of truth, that one individual acquired no leſs than 60,000*l.* by the laſt Engliſh lottery!

Although it is impoſſible to be perfectly accurate in any eſtimate which can be formed; for in this, as in all other caſes where calculations are introduced in this work, accuracy to a point is not to be expected; yet when all circumſtances are conſidered, there appear juſt grounds to ſuppoſe that the following ſtatement, placing the whole in one connected point of view, may convey to the reader no very imperfect idea of the vaſt and unparalleled extent of this horrid miſchief.

GAMING.

	Perſons attached.	*Money played for nightly.*	*Yearly aggregate loſt and won.*
		£.	£.
1. Seven ſubſcription houſes open one-third of the year, or 100 nights, ſuppoſe -	1000	— 2000	— 1,400,000
2. Fifteen houſes of a ſuperior claſs one-third of the year, or 100 nights - - - -	3000	— 2000	— 3,000,000
3. Fifteen houſes of an inferior claſs one-half of the year, or 150 nights - - - -	3000	— 1000	— 2,225,000
4. Six ladies gaming-houſes, 50 nights -	1000	— 2000	— 500,000
			7,225,000

Fraudulent

Brought forward, - - - - - - - - - - - - £7,225,000

Fraudulent Insurances in the Lottery.

450 Insurance offices at 100*l.* a day average during the 33 days of the Irish lottery - - - £1,155,000

400 Insurance offices at 150*l.* a day average during the 33 days * of the English lottery - - 1,980,000

3,135,000

Total - - 10,460,000

This aggregate is only to be considered as shewing the mere interchange of property from one hand to another; yet when it is recollected that the operation must progressively produce a certain loss, with not many exceptions, to all the innocent and unsuspecting adventurers either at pharo or the lottery, with an almost uniform gain to the proprietors; the result is shocking to reflect upon.—To individual families in easy circumstances where this unfortunate mania prevails, as well as to the mass of the people who are fascinated by the delusion of the lottery insurances, it is the worst of all misfortunes. —By seizing every opportunity to take advantage of this unhappy bias, it is no uncommon thing to see the pennyless miscreant of to-day become the opulent gam-

* The longer the lottery continues, the greater the evil. A lottery of 60,000 tickets is therefore a much greater evil than one of 50,000: and that in a ratio more than proportionate to the numbers in each.

er

bler of to-morrow: leaving the unhappy ſufferers often no alternative but exiled beggary, or a priſon; or perhaps rendered deſperate by reflecting on the folly of their conduct, to end their days by ſuicide*, while wives, children, and dependants, are ſuddenly reduced from affluence to the loweſt abyſs of miſery.

In contemplating theſe vaſt eſtabliſhments of regular and ſyſtematic fraud and depredation upon the public, in all the hideous forms which they aſſume, nothing is ſo much to be lamented as the unconquerable ſpirit which draws ſuch a multitude of the lower ranks of ſociety into the vortex of the lottery.

The agents in this iniquitous ſyſtem, availing themſelves of the exiſtence of the deluſion, ſpare no pains to keep it alive; ſo that the evil extends far and wide, and the miſchiefs, diſtreſſes, and calamities reſulting from it, were it poſſible to detail them, would form a catalogue of ſufferings of which the opulent and luxurious have no conception.

With a very few exceptions, all the proprietors of the gambling-houſes are alſo concerned in the fraudulent inſurance offices; and have a number of clerks employed

* The gambling and lottery tranſactions of one individual in this great metropolis, are ſaid to be productive of from ten to fifteen ſuicides annually.

during the drawing of the two lotteries, who conduct the buſineſs without riſk, in counting-houſes, where no inſurances are taken; but to which books are carried, not only from all the different offices in every part of the town, but alſo from the morocco-men, who go from door to door taking inſurances, and enticing the poor and the middle ranks to become adventurers.

In calculating the chances upon the whole numbers in the wheels, and the premiums which are paid, there is generally about 33⅓ *per cent.* in favour of the lottery inſurers; but when it is conſidered that the lower ranks, from not being able to recollect or comprehend high numbers, always fix on low ones, the chance in favour of the inſurer is greatly increaſed, and the deluded poor are plundered, to an extent which really exceeds all calculation.

Of how much importance therefore is it to the public at large, to ſee theſe evils ſuppreſſed; and above all, this novel ſyſtem annihilated, by which gambling eſtabliſhments are formed upon commercial principles of methodical arrangements, with vaſt capitals employed for the moſt infamous and diabolical purpoſes.

Let thoſe who have acquired wealth in this way be ſatisfied with what they have gotten, and with the miſery

their

their gains have occaſioned to ruined thouſands: let them abſtain from employing it in channels calculated to extend theſe evils.—The law is generally ſlow in its operations: but it ſeldom fails to overtake the guilty at laſt.

To this confederacy, powerful in wealth, and unreſtrained by thoſe conſiderations of moral rectitude, which govern the conduct of other men engaged in the common purſuits of life, is to be attributed thoſe vaſt additional hazards to which the young and inexperienced are at preſent ſubjected; hazards which not only did not exiſt before theſe eſtabliſhments were matured and moulded into ſyſtem, but which are now conſiderably increaſed, from its becoming a part of the general arrangements to employ men of genteel exterior (and it is to be feared too, in many inſtances of good connections), who, having been ruined by the deluſion, deſcend, as a means of ſubſiſtence, to accept the degrading office of ſeeking out thoſe cuſtomers, whoſe acceſs to money render them proper objects to be enſnared.—For ſuch is the nature of this new ſyſtem of deſtruction, that while a young man entering upon life, conceives himſelf honoured by the friendſhip and acquaintance of thoſe who are conſidered to be men of faſhion, and of good con-

nections, he is deluded by ſplendid entertainment into the ſnare, which afterwards robs him of his property and peace of mind.

At no period, therefore, has it been more neceſſary to exerciſe caution and prudence than under the circumſtances already explained.—Since men, likely to ſport away property, are now *ſought for:* formerly they were permitted to *ſeek out* the road to ruin; but the ſyſtem adopted in the preſent ſituation of things is to furniſh a guide.

Such are the arrangements of this alarming and miſchievous confederacy, for the purpoſe of plundering the thoughtleſs and unwary.—The evidence given in the Court of King's Bench, in an action, tried for gaming, on the 29th November, 1796, fully develops the ſhocking ſyſtem of fraud which is purſued, after the inexperienced and unwary are entrapped into theſe receptacles of ruin and deſtruction *.—It ought not only to ſerve as a beacon

* The following is the ſubſtance of the moſt ſtriking parts of the evidence of John Shepherd, in an action for gaming, tried in the King's-Bench, 29th of November, 1796.

" The witneſs ſaw hazard played at the gaming-houſe of the defendant, in Leiceſter-ſtreet.—Every perſon who was three times ſucceſsful, paid the defendant a ſilver medal, which he purchaſed from him on entering the houſe,

at

a beacon to every young man of property carefully to avoid ſuch ſnares; but alſo as an inducement to great

at eight for a guinea, and he received ſix or ſeven of theſe in the courſe of an hour for the box hands, as it was called. The people who frequented this houſe always played for a conſiderable ſum. Sometimes 20*l.* or 30*l.* depended on a ſingle throw of the dice. The witneſs remembered being once at the defendant's gaming-houſe about three or four o'clock in the morning, when a gentleman came in very much in liquor.—He ſeemed to have a great deal of money about him.—The defendant ſaid he had not intended to play, but now he would ſet to with this fellow.—He then ſcraped a little wax with his finger off one of the candles and put the dice together, ſo that they came ſeven every way. After doing this, he dropped them into the box and threw them out, and afterwards drew all the money away, ſaying he had won it.—*Seven* was the main, and he could not throw any thing but *ſeven*. The young gentleman ſaid he had not given him time to *bar*.—A diſpute aroſe between the defendant and him.—It was referred to two or three perſons who were round the table, and they gave it in favour of the defendant.—The gentleman ſaid he had loſt upwards of 70*l.*—The defendant ſaid, *we have cleared him.*—The witneſs has ſeen a man pawn his watch and ring in ſeveral inſtances; and once he ſaw a man pawn his coat and go away without it.

"After the gaming-table was broken by the Bow-ſtreet officers, the defendant ſaid it was too good a thing to be given up, and inſtantly got another table, large enough for twenty or thirty people.—The frequenters of this houſe uſed to play till daylight; and on one or two occaſions, they played all the next day. This is what the defendant called, *ſticking to it rarely*. The gueſts were furniſhed with wine and ſuppers gratis, from the funds of the partnerſhip, in abundance. Sunday was a grand day. The witneſs has ſeen more than forty people there at a time. The table not being ſufficient for the whole, half a crown uſed on ſuch occaſions to be given for a ſeat, and thoſe behind looked over the back of the others and betted."

The perſon above-mentioned (whoſe name was Smith) who pawned his coat, corroborated the above evidence; and added, that he had ſeen a perſon, after he had loſt all his money, throw off his coat and go away, loſing it alſo.

public

public bodies, who employ a number of clerks, as well as to bankers, merchants, warehouſemen, and others, to warn and admoniſh the perſons entruſted with money in their employment, of the imminent danger and inevitable ruin which an attachment to gaming or the lottery muſt produce; thereby putting them upon their guard againſt the frauds which may be practiſed to ſeduce them into this fatal vice.

It will alſo occur to parents and guardians to be vigilant in marking the conduct of young men under their charge, and to warn them of the infamous plans which are laid to work their ruin and deſtruction.

Nor ought leſs attention to be beſtowed in guarding menial ſervants, and the labouring people in general, from the deluſion of the lottery.—An attention to this object would be an act of great charity and humanity, and in its conſequences might produce infinitely more benefit than any ſum of money, however extenſive, that could be raiſed for a charitable purpoſe: for it would in general prevent the neceſſity of thoſe liberal donations, which become neceſſary more from the thoughtleſs prodigality, and the ill-regulated œconomy of the poor, ariſing in too many inſtances from the numerous tempta-

tions which a great metropolis affords, than from any actual neceſſity.

The keepers of unlicenſed inſurance offices during the drawing of the Engliſh and Iriſh lotteries, during the intervals of ſuch lotteries, have recently invented and ſet up private lotteries, or wheels, called by the nick-name of *Little Go's*, containing blanks and prizes, which are drawn for the purpoſe of eſtabliſhing *a ground for inſurance*; the fever in the minds of the lower order of the people is thus kept up, in ſome meaſure, all the year round, and produces incalculable miſchiefs; the rage and ſpirit of gambling becoming ſo rooted from habit, that no domeſtic diſtreſs, no conſideration, connected either with the frauds that are practiſed, or the number of chances that are againſt them, will operate as a check upon their minds.

In ſpite of the high price of proviſions, and of the care and attention of the legiſlature in eſtabliſhing ſevere checks and puniſhments for the purpoſe of preventing the evil of lottery inſurances, theſe criminal agents feel no want of cuſtomers; their houſes and offices are not only extremely numerous all over the metropolis, but in general *high-rented*; exhibiting the appearance of conſiderable expence, and barricadoed in ſuch a manner, with

with iron doors and other contrivances, as in many inſtances to defy the arm of the law to reach them.

In tracing all the circumſtances of this intereſting buſineſs, with a view to the diſcovery of the cauſe of the great encouragement which theſe lottery inſurers receive, it appears that a conſiderable proportion of their emolument is derived from *menial ſervants* in general, all over the metropolis; but particularly from the pampered male and female domeſtics in the houſes of men of faſhion and fortune; who are ſaid, almoſt without a ſingle exception, to be in the conſtant habit of inſuring in the Engliſh and Iriſh lotteries.

This claſs of *menials* being in many inſtances clothed as well as fed by their maſters, have not the ſame calls upon them as labourers and mechanics, who muſt appropriate at leaſt a part of their earnings to the purpoſe of obtaining both food and raiment.

With a ſpirit of gambling, rendered more ardent than prevails in vulgar life, from the example of their ſuperiors, and from their idle and diſſipated habits, theſe ſervants enter keenly into the lottery buſineſs; and when ill luck attends them, it is but too well known that many are led, ſtep by ſtep, to that point where they loſe ſight of all moral principle; impelled by a deſire

to

to recover what they have loſt, they are induced to raiſe money for that purpoſe, by ſelling or pawning the property of their maſters, wherever it can be pilfered in a little way, without detection; till at length this ſpecies of peculation, by being rendered familiar to their minds, generally terminates in more atrocious crimes.

Upon a ſuppoſition that one hundred thouſand families * in the metropolis keep two ſervants upon an average, and that one ſervant with another inſures only to the extent of twenty-five ſhillings each, in the Engliſh, and the ſame in the Iriſh lottery, the aggregate of the whole will amount to HALF A MILLION STERLING.

Aſtoniſhing as this may appear at firſt view, it is believed that thoſe who will minutely examine into the lottery tranſactions of their ſervants, will find the calculation by no means exaggerated; and when to this are added the ſums drawn from perſons in the middle ranks of life, as well as from the numerous claſs of labourers and artiſans who have caught the mania; it ceaſes to be a matter of wonder, that ſo many ſharpers, ſwindlers,

* It is eſtimated that in the preſent extended and improved ſtate of the metropolis, there are 162,000 inhabited houſes, ſuppoſed to contain about 240,000 families, including lodgers of every deſcription, reſiding in nearly 8,000 ſtreets, lanes, alleys, courts, and ſquares.

and cheats find encouragement in this particular department.

If ſervants in general, who are under the controul of maſters, were prevented from following this abominable ſpecies of gambling; and if other expedients were adopted, which will be hereafter detailed, a large proportion of the preſent race of rogues and vagabonds who follow this infamous trade, would be compelled to become honeſt; and the poor would be ſhielded from the deluſion which impels them to reſort to this deceitful and fraudulent expedient; at the expence ſometimes of pledging every article of houſehold goods, as well as the laſt rag of their own and their children's wearing apparel, not leaving even a ſingle change of raiment!

But when our views are extended to the deſtruction of morals, and to the ſhocking waſte of time, as well as the waſte of property, which attaches to theſe purſuits, there is no branch of political œconomy ſo important, or ſo truly worthy the ſyſtematic attention of men of fortune and virtue, as the means of checking, by gentle palliatives, the deſtructive vices of the labouring people. —To render them happy they ſhould be taught frugality and virtue.—To abandon them to their ill-regulated paſſions and propenſities, which often ariſe more from

ignorance

ignorance than bad intentions, is an act of cruelty to them, and injustice to the community.

THUS IT IS THAT THOSE MULTIFARIOUS CRIMES ARE ENGENDERED, WHICH IT HAS BEEN THE OBJECT OF THE AUTHOR TO DEVELOPE IN THE COURSE OF THIS WORK.—

WHILE, THEREFORE, WE DEPLORE THE MISERABLE CONDITION OF THOSE NUMEROUS CLASSES OF DELINQUENTS WHO HAVE UNFORTUNATELY MULTIPLIED, WITH THE SAME RAPIDITY THAT THE GREAT WEALTH OF THE METROPOLIS HAS INCREASED, WHILE THEIR ERRORS AND CRIMES ARE EXPOSED ONLY FOR THE PURPOSE OF AMENDMENT, A PROSPECT HAPPILY OPENS FOR THE ADOPTION OF THOSE REMEDIES WHICH MAY PROVE THE MEANS OF GIVING A SEASONABLE CHECK TO IMMORALITY AND CRIMES; SO AS, IN THEIR PREVENTION, NOT ONLY TO PROTECT THE PRIVILEGES OF INNOCENCE, BUT ALSO TO RENDER PUNISHMENTS VERY SELDOM NECESSARY.

TO WITNESS THE COMPLETION OF LEGISLATIVE ARRANGEMENTS, OPERATING SO FAVOURABLY TO THE IMMEDIATE ADVANTAGE AND SECURITY OF THE METROPOLIS, AND EXTENDING BY THAT

MEANS THE SAME BENEFITS TO THE COUNTRY AT LARGE, WOULD PROVE TO THE AUTHOR OF THIS WORK A VERY GREAT AND GENUINE SOURCE OF HAPPINESS.—TO THE PUBLIC THEREFORE, IN GENERAL, AND TO THE LEGISLATURE IN PARTICULAR, DOES HE LOOK FORWARD WITH CONFIDENCE FOR THAT SINGULAR GRATIFICATION, WHICH, BY GIVING EFFECT TO HIS WELL-MEANT ENDEAVOURS FOR THE PREVENTION OF CRIMES, WILL MOST AMPLY REWARD THE EXERTIONS HE HAS USED IN THE COURSE OF A VERY INTRICATE AND LABORIOUS INVESTIGATION; IN WHICH HIS ONLY OBJECT HAS BEEN THE GOOD OF HIS COUNTRY.

GAMING, THEREFORE, CONSIDERING THE GREAT MISCHIEFS IT PRODUCES, OUGHT TO BE MORE SEVERELY PUNISHED BY LAW, AND THE PUNISHMENT SHOULD BE SOLITARY IMPRISONMENT; REWARDS SHOULD BE OFFERED FOR THE CONVICTION OF GAMESTERS; AND TRANSPORTATION FOR LIFE SHOULD BE THE LOT OF THOSE WHO PERMIT THIS BANE OF ALL VIRTUE TO BE ACCOMPLISHED IN HOUSES OF PUBLIC RESORT.—THIS MAY APPEAR SEVERE, BUT SEVERITY CERTAINLY HERE IS THE HIGHEST MERCY TO OTHERS.

SECT. XXIX.

COINING.

THE vaſt increaſe, and the extenſive circulation of *counterfeit money*, particularly of late years, is too obvious not to have attracted the notice of all ranks. It has become an enormous evil in the melancholy catalogue of crimes which the laws of the country are called upon to aſſiſt the police in ſuppreſſing.—Its extent almoſt exceeds credibility; and the dexterity and ingenuity of theſe counterfeiters have (after conſiderable practice) enabled them to finiſh the different kinds of baſe money in ſo maſterly a manner, that it has become extremely difficult for the common obſerver to diſtinguiſh their ſpurious manufacture from the worn-out ſilver from the Mint.—So ſyſtematic, indeed, has this nefarious traffic become of late, that the great dealers, who in moſt inſtances, are the employers of the coiners, execute orders for the town and country with the ſame regularity, as manufacturers in fair branches of trade.

Scarce

Scarce a waggon or coach departs from the metropolis, which does not carry boxes and parcels of baſe coin to the camps, ſea-ports, and manufacturing towns; inſomuch, that the country is deluged with counterfeit money.

In London, regular markets, in various public and private houſes, are held by the principal dealers; where *hawkers, pedlars, fraudulent horſe-dealers, unlicenſed lottery-office keepers, gamblers at fairs, itinerant Jews, Iriſh labourers, ſervants of toll-gatherers, and hackney-coach owners, fraudulent publicans, market-women, rabbit-ſellers, fiſh-criers, barrow-women*, and many who would not be ſuſpected, are regularly ſupplied with counterfeit copper and ſilver, with the advantage of nearly 100 *per cent.* in their favour; and thus it happens, that through theſe various channels, immenſe quantities of baſe money get into circulation, while an evident diminution of the Mint coinage * is apparent to every common obſerver.

It is impoſſible to reflect on the neceſſity to which all perſons are thus reduced, of receiving and again utter-

* The current coin is collected in, adulterated, and formed into baſe ſilver, which is the worſe ſpecies of coining. To render it *ſcarce*, it is alſo carried out of the country.

ing,

ing, money which is known to be falſe and counterfeit, without lamenting, that by thus familiarizing the mind to fraud and deception, the *moral principle* is conſiderably weakened, if not deſtroyed.

In the nature of things at preſent, every one muſt receive baſe money, and being thus cheated, the parties injured muſt, knowingly and wilfully, *cheat* in their turn: and it is much to be feared, that when this ſpecies of fraud becomes familiar to young minds, it may extend to other tranſactions of life:—the barrier being broken down in one part, the principle of common honeſty is infringed upon, and infinite miſchief to the very beſt intereſts of ſociety, is the reſult, in caſes at firſt unthought of.

To permit, therefore, the exiſtence of a ſilver and copper coinage, ſuch as is now in circulation, is, in fact, to tolerate general fraud and deception, to the ultimate loſs of many individuals; for the evil muſt terminate at ſome period, and then thouſands muſt ſuffer; with this aggravation, that the longer it continues, the greater will be the loſs of property.

But the miſchief is not confined to the counterfeiting of coin, ſimilar to that of the realm.—The avarice and ingenuity of man is conſtantly finding out new ſources

of

of fraud; inſomuch, that in London, and in Birmingham, and its neighbourhood, louis d'ors, half johannas, French half crowns and ſhillings, as well as ſeveral coins of Flanders and Germany, are counterfeited; apparently without ſuſpicion, that under the act of the 14th of Elizabeth (cap. 3), the offenders are guilty of miſpriſion of high treaſon.

Nor does the evil end here:—not content with counterfeiting the foreign coins of Europe, the ingenious miſcreants extend their manufacture to thoſe of India: and a coinage of the *ſtar pagoda* of Arcot has been eſtabliſhed in London for ſome years by one perſon.—Theſe counterfeits, being made wholly of blanched copper, tempered in ſuch a manner as to exhibit, when ſtamped, the cracks in the edges, which are always to be found on the real pagoda, coſt the maker only three halfpence each, after being double gilt.—When finiſhed, they are generally ſold to Jews at five ſhillings a dozen, who diſpoſe of them afterwards at two ſhillings, three ſhillings, or even five ſhillings each; and through this medium, they are introduced by a variety of channels into India, where they are probably mixed with the real pagodas of the country, and paſs at their full denominated value of eight ſhillings ſterling.

The *ſequins* of Turkey, another gold coin, worth about five or ſix ſhillings, have in like manner been recently counterfeited in London:—thus the national character is wounded, and the diſgrace of the Britiſh name proclaimed in Aſia, and even in the moſt diſtant regions of India.—Nor can it be ſufficiently lamented, that perſons who conſider themſelves as ranking in ſuperior ſtations in life, with ſome pretenſions to honour and integrity, have ſuffered their avarice ſo far to get the better of their honeſty, as to be concerned in this iniquitous traffic.

It has been recently diſcovered that there are at leaſt 120 perſons in the metropolis and the country, employed principally in coining and ſelling baſe money; and this, independent of the numerous horde of utterers, who chiefly ſupport themſelves by paſſing it at its full value.

It will ſcarcely be credited, that of criminals of this latter claſs, who have either been detected, proſecuted, or convicted, within the laſt ſeven years, there ſtand upon the regiſter of the ſolicitor to the Mint, no leſs than 608 names!—And yet the miſchief increaſes rapidly.—When the reader is informed, that two perſons

can finiſh from 200*l.* to 300*l.* (nominal value) in baſe ſilver in *ſix days*; and that three people, within the ſame period will ſtamp the like amount in copper; and takes into the calculation the number of known coiners, the aggregate amount in the courſe of a year will be found to be immenſe.

The cauſes of this enormous evil are, however, eaſily developed.—The principal laws relative to counterfeit coin having been made a century ago, the tricks and devices of modern times are not ſufficiently provided againſt: when it is conſidered alſo, that the offence of dealing in baſe money (which is the main ſpring of the evil) is only puniſhable by a ſlight impriſonment; that ſeveral offences of a ſimilar nature are not puniſhable at all, by any exiſting ſtatute; and that the detection of actual coiners, ſo as to obtain the proof neceſſary for conviction, required by law, is, in many inſtances, impracticable; it is not to be wondered at, where the profit is ſo immenſe, with ſo many chances of eſcaping puniſhment, that the coinage of, and traffic in, counterfeit money has attracted the attention of ſo many unprincipled and avaricious perſons.

This enormity, however, may, like others already alluded

luded to, be cured by wiſe legiſlative regulations, aided by proper proviſions for their due execution, under a vigorous and energetic police.

So dexterous and ſkilful have coiners now become, that by mixing a certain proportion of pure gold with a compound of baſe metal, they can fabricate guineas that ſhall be full weight, and of ſuch perfect workmanſhip as to elude a diſcovery, except by perſons of ſkill; while the intrinſic value does not exceed thirteen or fourteen ſhillings, and in ſome inſtances not above eight or nine.—Of this coinage conſiderable quantities were circulated ſome years ſince, bearing the impreſſion of George the ſecond: and another coinage of counterfeit guineas of the year 1793, bearing the impreſſion of his preſent majeſty, is now actually in circulation, finiſhed in a maſterly manner, and nearly full weight, although the intrinſic value is not above eight ſhillings; half guineas are alſo in circulation of the ſame coinage.—But as the fabrication of ſuch coin requires a greater degree of ſkill and ingenuity than generally prevails, and alſo a greater capital than moſt coiners are able to command, it is to be hoped it has gone to no great extent*; for

* Pauſe here kind reader. The ingenious Mr. Bolton propoſed to government to have *ſuch a die* as could not be well counterfeited, ſtruck by a ſteam

 engine,

amidſt all the abuſes which have prevailed of late years, it is unqueſtionably true that the guineas and half guineas which have been counterfeited in a ſtyle to elude detection, have borne no proportion in point of extent to the coinage of baſe *ſilver*.—Of this latter there are *five* different kinds at preſent counterfeited; and which we ſhall proceed to enumerate.

The firſt of theſe are denominated FLATS, from the circumſtance of this ſpecies of money being cut out of flatted plates, compoſed of a mixture of ſilver and blanched copper.—The proportion of ſilver runs from one fourth to one third, and in ſome inſtances even one half: the metals are mixed by a chemical preparation, and afterwards rolled by flatting-mills, into the thickneſs of *ſhillings*, *half-crowns*, or *crowns*, according to the deſire of the parties who bring the copper and ſilver, which laſt is generally ſtolen plate.—There is only at preſent one rolling-mill in London, in a well-known ſituation, where all the dealers and coiners of this ſpecies of baſe money reſort, for the purpoſe of having theſe plates prepared; from which, when finiſhed, *blanks* or

engine for *all coins* current in this kingdom. The experiment is begun, and we wiſh him every ſucceſs. Mr. Tillock has diſcovered a new mode of engraving, and made his propoſal to the bank, to prevent counterfeit bank notes. Both gentlemen will deſerve effigies to be erected to their memory.

round

round pieces are cut out, of the ſize of the money meant to be counterfeited.

The artiſans who ſtamp or coin theſe blanks into baſe money are ſeldom intereſted themſelves.—They generally work as mechanics for the large dealers who employ a capital in the trade;—and who furniſh the plates, and pay about eight *per cent.* for the coinage, being at the rate of one penny for each ſhilling, and twopence halfpenny for each half-crown.

This operation conſiſts firſt in turning the blanks in a lathe;—then ſtamping them, by means of a preſs, with dies with the exact impreſſion of the coin intended to be imitated:—they are afterwards rubbed with ſand-paper and cork; then put into aquafortis to bring the ſilver to the ſurface; then rubbed with common ſalt; then with cream of tartar; then warmed in a ſhovel, or ſimilar machine, before the fire: and laſt of all rubbed with *blacking*, to give the money the appearance of having been in circulation.

All theſe operations are ſo quickly performed, that two perſons (a man and his wife for inſtance) can completely finiſh to the nominal amount of fifty pounds in ſhillings and half-crowns in two days, by which they will earn each two guineas a day.

A ſhilling

A ſhilling of this ſpecies, which exhibits nearly the appearance of what has been uſually called a Birmingham ſhilling, is intrinſically worth from *twopence to fourpence*; and crowns and half-crowns are in the ſame proportion.—The quantity made of this ſort of counterfeit coinage is very conſiderable: it requires leſs ingenuity than any other methods of coining, though at the ſame time it is the moſt expenſive mode, and of courſe the leaſt profitable to the dealer; who for the moſt part diſpoſes of it to the utterers, vulgarly called *ſmaſhers*, at from 28 to 40 for a guinea, according to the quality; while theſe *ſmaſhers* generally manage to utter it again at the full import value.

The ſecond ſpecies of counterfeit money paſſes among *the dealers by the denomination of* PLATED GOODS; from the circumſtance of the ſhillings and half-crowns being made of copper of a reduced ſize, and afterwards plated with ſilver, ſo extended as to form a rim round the edge.—This coin is afterwards ſtamped with dies ſo as to reſemble the real coin; and, from the circumſtance of the ſurface being pure ſilver, is not eaſily diſcovered, except by ringing the money on a table; but as this ſpecies of baſe money requires a knowledge of *plating*, as well as a great deal of ingenuity, it is of courſe confined to few hands.

hands.—It is however extremely profitable to thoſe who carry it on, as it can generally be uttered, without detection, at its full import value.

The third ſpecies of baſe ſilver-money is called PLAIN GOODS, and is totally confined to ſhillings.—Theſe are made of copper blanks turned in a lathe, of the exact ſize of a Birmingham ſhilling, afterwards ſilvered over by a particular operation uſed in colouring metal buttons; they are then rubbed over with cream of tartar and blacking, after which they are fit for circulation.

Theſe ſhillings do not coſt the makers above one halfpenny each: they are ſold very low to the *ſmaſhers* or *utterers*, who paſs them where they can, at the full nominal value; and when the ſilver wears off, which is very ſoon the caſe, they are ſold to the Jews as bad ſhillings, who generally reſell them at a ſmall profit to cuſtomers, by whom they are recoloured, and thus ſoon brought again into circulation.—The profit is immenſe, owing to the trifling value of the materials; but the circulation, on account of the danger of diſcovery, is not yet very extenſive.—It is however to be remarked, that it is a ſpecies of coinage recently introduced.

The fourth claſs of counterfeit ſilver-money is known by the name of CASTINGS, or CAST GOODS.—This

ſpecies

ſpecies of work requires great ſkill and ingenuity, and is therefore confined to few hands; for none but excellent artiſts can attempt it, with any proſpect of great ſucceſs.

The proceſs is to melt blanched copper, and to caſt it in moulds, having the impreſſion, and being of the ſize of a *crown*, a *half-crown*, a *ſhilling*, or a *ſixpence*, as the caſe may be; after being removed from the moulds, the money thus formed is cleaned off, and afterwards neatly ſilvered over by an operation ſimilar to that which takes place in the manufacture of buttons.

The counterfeit money made in imitation of ſhillings by this proceſs, is generally caſt ſo as to have a *crooked appearance*; and the deception is ſo admirable, that although intrinſically not worth *one halfpenny*, by exhibiting the appearance of a *thick crooked ſhilling*, they enter into circulation without ſuſpicion, and are ſeldom refuſed while the ſurface exhibits no part of the copper; and even after this the itinerant Jews will purchaſe them at threepence each, though ſix times their intrinſic value, well knowing that they can again be recoloured at the expence of half a farthing, ſo as to paſs without difficulty for their nominal value of twelve pence.

The profit therefore in every view, whether to the

original maker, or to the ſubſequent purchaſers, after having loſt their colour, is *immenſe*.

In fabricating this ſpecies of baſe money, the workmen are always more ſecure than where preſſes and dies are uſed; becauſe, upon the leaſt alarm, and before any officer of juſtice can have any admiſſion, the counterfeits are thrown into the crucible; the moulds are deſtroyed; and nothing is to be found that can convict, or even criminate, the offender: on this account the preſent makers of caſt money have reigned long, and were they careful and frugal, they might have become extremely rich; but prudence rarely falls to the lot of men who live by acts of criminality.

The fifth and laſt ſpecies of baſe coin made in imitation of ſilver-money of the realm, is called FIGS, or FIG THINGS.—It is a very inferior ſort of counterfeit money, of which compoſition however the chief part of the ſixpences now in circulation are made.—The proportion of ſilver is not, generally ſpeaking, of the value of one farthing in half a crown; although there are certainly ſome exceptions, as counterfeit ſixpences have been lately diſcovered, ſome with a mixture, and ſome wholly ſilver: but even theſe did not yield the makers leſs than from 50 to 80 *per cent.* while the profit on the

former is not leſs than from five hundred to one thouſand *per cent.* and ſometimes more.

It is impoſſible to eſtimate the amount of this baſe money which has entered into the circulation of the country during the laſt twenty years; but it muſt be immenſe, ſince one of the principal coiners in the *flat way*, who has lately left off buſineſs, and made ſome important diſcoveries, acknowledged to a magiſtrate of the police, that he had coined to the extent of *two hundred thouſand pounds* ſterling in counterfeit *half-crowns*, and other baſe ſilver money, in a period of ſeven years.—This is the leſs ſurpriſing, as two perſons can ſtamp and finiſh to the amount of from 200*l.* to 300*l.* a week.

Of the copper-money made in imitation of the current coin of the realm, there are many different ſorts ſold at various prices, according to the ſize and weight; but in general they may be divided into two kinds, namely, the ſtamped and the plain half-pence, of both which kinds immenſe quantities have been made in London; and alſo at Birmingham, Wedgbury, Bilſton, and Wolverhampton, &c. *

* A ſpecies of counterfeit half-pence, made *wholly of lead*, has been lately circulated in conſiderable quantities, coloured in ſuch a manner as even to deceive the beſt judges. They are generally of the reign of George II. and have the exact appearance of old Mint half-pence.

The

The plain half-pence are generally made at Birmingham; and, from their thickneſs, afford a wonderful deception.—They are ſold, however, by the coiners to the large dealers at about a farthing each, or 100 *per cent.* profit in the tale or aggregate number.—Theſe dealers are not the *utterers*; but ſell them again by retail in *pieces*, or *five-ſhilling papers*, at the rate of from 28*s.* to 31*s.* for a guinea; not only to the ſmaſhers, but alſo to perſons in different trades, as well in the metropolis as in the country towns, who paſs them in the courſe of their buſineſs at the full import value.

Farthings are alſo made in conſiderable quantities, chiefly in London, but ſo very thin that the profit upon this ſpecies of coinage is much greater than on the half-pence, though theſe counterfeits are not now, as formerly, made of baſe adulterated metal.—The copper of which they are made is generally pure.—The advantage lies in the weight alone, where the *coiners*, *ſellers*, and *utterers*, do not obtain leſs than 250 *per cent.*—A well known coiner has been ſaid to finiſh from ſixty to eighty pounds ſterling a week.—Of half-pence, two or three perſons can ſtamp and finiſh to the nominal amount of at leaſt two hundred pounds in ſix days.

When it is conſidered that there are not leſs than be-

tween forty and fifty coinages, or private mints, almoſt conſtantly employed in London and in different country towns, in ſtamping and fabricating baſe ſilver and copper money, the evil may truly be ſaid to have arrived at an enormous height.—It is indeed true that theſe people have been a good deal interrupted and embarraſſed of late, by detections and convictions; but while the laws are ſo inapplicable to the new tricks and devices they have reſorted to, theſe convictions are only *a drop in the bucket*; and indeed it is no unuſual thing for the wife and family of a culprit, or convicted *feller* of *baſe money*, to carry on the buſineſs, and to ſupport him luxurioufly in Newgate, until the expiration of the *year* and *day's* impriſonment, which is generally the puniſhment inflicted for this ſpecies of offence.

It has been already ſtated, that trading in baſe money has now become as regular and ſyſtematic as any fair branch of trade.

Certain it is that immenſe quantities are regularly ſent from London to the camps during the ſummer ſeaſon; and to perſons at the ſea-ports and manufacturing towns, who again ſell in retail to the different tradeſmen and others, who paſs them at the full *import* value.

In

In this nefarious traffic a number of the lower order of the Jews in London aſſiſt the dealers, in an eminent degree, particularly in the circulation of bad half-pence.

It has not been an unuſual thing for ſeveral of theſe dealers to hold a kind of market, every morning, where from forty to fifty Jew boys are regularly ſupplied with counterfeit half-pence; which they diſpoſe of in the courſe of the day, in different ſtreets and lanes of the metropolis, for *bad ſhillings*, at about 3*d.* each.—Care is always taken that the perſon who cries bad ſhillings ſhall have a companion near him who carries the half-pence, and takes charge of the purchaſed ſhillings (which are not cut): ſo as to elude the detection of the officers of the police, in the event of being ſearched.

The bad ſhillings thus purchaſed, are received in payment, by the employers of the boys, for the bad half-pence ſupplied them, at the rate of four ſhillings a dozen; and are generally re-ſold to *ſmaſhers*, at a profit of two ſhillings a dozen; who ſpeedily re-colour them, and introduce them again int circulation, at their full nominal value.

The boys will generally clear from five to ſeven ſhillings a day, by this fraudulent buſineſs; which they almoſt

moſt uniformly ſpend, during the evening, in riot and debauchery; returning pennyleſs in the morning to their old trade.

Thus it is that the frauds upon the public multiply beyond all poſſible conception, while the tradeſman, who, unwarily at leaſt if not improperly, ſells his counterfeit ſhillings to Jew boys at three pence each, little ſuſpects that it is for the purpoſe of being returned upon him again at the rate of twelve pence; or 300 *per cent.* profit to the purchaſers and utterers.

But theſe are not the only criminal devices which the coiners and dealers, as well as the utterers of baſe money, have recourſe to, for anſwering their iniquitous purpoſes.

Counterfeit French half-crowns and ſhillings, of excellent workmanſhip, have been lately introduced with a view to elude the puniſhment of the law.

Fraudulent die-ſinkers are to be found both in the metropolis and in Birmingham, who are excellent artiſts; able and willing to copy the exact ſimilitude of any coin, from the Britiſh guinea to the ſequin of Turkey, or to the ſtar pagoda of Arcot.—The delinquents have therefore every opportunity and aſſiſtance they can wiſh for; while their accurate knowledge of the deficiency

ency of the laws, and where the point of danger lies, joined to the extreme difficulty of detection, operates as a great encouragement to this ſpecies of treaſon, felony, and fraud; and affords the moſt forcible reaſon why theſe peſts of ſociety have ſo increaſed and multiplied of late years.

An opinion prevails, founded on information obtained through the medium of the moſt intelligent of theſe coiners and dealers, that of the counterfeit money now in circulation, not above one third part is of the ſpecies of *flats* or *compoſition money*; which we have ſeen is the moſt intrinſically valuable of counterfeit ſilver, and contains from one fourth to one half ſilver; the remainder being blanched copper.—The other two thirds of the counterfeit money being *caſt* or *waſhed*, and intrinſically worth little or nothing, the impoſition upon the public is obvious.—Taking the whole upon an average, the amount of the injury muſt be conſiderably within ten *per cent.* of a total loſs upon the maſs of the baſe ſilver money now in circulation; which, if a concluſion may be drawn from what paſſes under the review of any perſon who has occaſion to receive ſilver in exchange, muſt conſiderably exceed *one million ſterling!* To this we have the miſerable proſpect of an acceſſion every

year, until ſome effectual ſteps ſhall be taken to remedy the evil.

Of the copper coinage, the quantity of counterfeits now in circulation may be truly ſaid to equal three fourth parts of the whole, independent of the daily acceſſion; and nothing is more certain than that a very great proportion of the actual counterfeits paſs as Mint half-pence, from their ſize and appearance, although they have yielded the coiners a large profit.

In ſhort, nothing can be on a worſe footing than both the ſilver* and copper coinage of this kingdom at the preſent period; for at no time can any perſon minutely examine either the one coin or the other, which may come into his poſſeſſion, without finding a conſiderable proportion counterfeit.

What therefore muſt be the ſituation of the retail dealers, the brewers, diſtillers, and many other claſſes of induſtrious traders, who, in the courſe of their buſineſs, are compelled to receive ſuch money as is in circulation?

The

* It is ſincerely to be regretted that any objections ſhould have ariſen relative to the adoption of a ſilver and gold coinage, ſimilar to the beautiful and maſterly ſpecimens which were fabricated in the year 1790, and tendered to government by that excellent artiſt, and uſeful and valuable man—Mr. BOLTON, of Birmingham.

Such

The burden is not only grievous beyond expreſſion, to thoſe who have no alternative but to take ſuch baſe money in payment; but extends indirectly to *the poor:* in as much as the diminiſhed value of ſuch coin, ariſing from its reduced or baſe quality, taken in connexion with the quantities thrown into circulation, tends to enhance the price of the firſt articles of neceſſity.

The labourer, the handicraftſman, and the working manufacturer, being generally paid their weekly wages, partly in copper money of the preſent depreciated value; —it is obvious they muſt obtain leſs than they would otherwiſe receive, were the coin of a higher ſtandard; for the retail dealers who furniſh the poor with food, muſt ſhield themſelves, at leaſt in part, againſt the unavoidable loſſes ariſing from baſe money, by advancing the prices of their various commodities.

Nor are ſuch advances made upon a principle which cannot be defended; ſince it is evident that the relative value *even of the Mint copper coin* to gold or ſilver, is nearly *twice its intrinſic value*; and while ſuch copper money cannot be paid into the receipt of his Majeſty's

Such a coinage, while the expence, at the time when copper was low, would have been very moderate, muſt have remedied completely all thoſe evils which have proved ſuch a weight upon the commerce of the country both before and ſince that period.

Exchequer, or received in payment by the officers of the revenue, the burden and loſs of a diminiſhed coin fall entirely upon the traders, (who are compelled to receive ſuch money), and upon the labourers and mechanics through whoſe medium it is chiefly circulated.

While the diſproportion thus ſtated between the denominative value of copper and ſilver money is ſo very great, it is evident that the legal coinage of copper muſt produce an immenſe profit; as *one pound* of copper eſtimated at 15 *pence** will make as many halfpence, of the legal coinage, as paſs for *two ſhillings*.

This fact plainly ſhews the vaſt temptation which is held out to thoſe who carry on the counterfeit coinage, where the profit from the coiner to the dealers, and from theſe dealers to the utterers, at the full denominative value, muſt be in many inſtances from two to three hundred per cent. When to this circumſtance is added the ſecurity which the deficiencies in the preſent laws hold out, the whole operates as a kind of bounty to theſe fraudulent people, who cannot reſiſt the proſecution of a trade where the profit is ſo immenſe, and where a coinage equally *pure* and *heavy* as the mint ſtandard would even be extremely productive.

* A few years ago ſheet-copper was as low as 11½d. a pound, and will probably be again at the ſame price on the return of peace. Indeed it has lately been even lower.

In

In every view the evil arising from base money of every denomination appears to be of the greatest magnitude—while its extent will scarcely be credited by any but those who have turned their attention very minutely to the subject.

The trade of dealing in base money acquires its greatest vigour towards the end of March; for then the Lotteries are over, when *swindlers*, *gamblers*, *pretended dealers in horses*, *travellers with E. O. tables*, and *hawkers* and *pedlars* go into the country, carrying with them considerable quantities of counterfeit silver and copper coin; by which they are enabled, in a great degree, to extend the circulation, by cheating and defrauding ignorant country people.

In the spring season too, the dealers in base money begin to make up their orders for the different country towns; and it is supposed, upon good grounds, that there is now scarce a place of any consequence all over the kingdom where they have not their correspondents; it is also a fact well established, that these correspondents come regularly to the *metropolis*, and also go to Birmingham once or twice a year for the purpose of purchasing base money.

It very ſeldom happens, on account of the great demand, (eſpecially of late years) that the dealers have ever any conſiderable ſtock on hand. The baſe money is no ſooner finiſhed, than it is packed up and ſent to cuſtomers in town and country; and with ſuch rapidity has it been fabricated, on occaſions of preſſing emergency, that a ſingle dealer has been known to procure from the coiners who worked for him, from 300*l.* to 500*l.* for country orders, in the courſe of the week!

The lower ranks among the Iriſh, and the Jews, are the chief ſupporters of the trade of circulating baſe money in London;—there is ſaid to be ſcarce an Iriſh labourer who does not exchange his week's wages for baſe money; taking a mixture of ſhillings, ſixpences, and copper.

The Jews principally confine themſelves to the coinage and circulation of copper; while the Iriſh women are the chief utterers and colourers of baſe ſilver.—A vaſt number of theſe low females have acquired the miſchievous art of colouring the bad ſhillings and ſixpences, which they purchaſe from the employers of Jew-boys, who cry *bad ſhillings*.

It is ſomewhat ſingular that among the Jews, although many caſes occur where they appear to be coiners of copper money and dealers to a great extent, yet ſcarce an inſtance can be adduced of their having any concern in the coinage or in the colouring of baſe ſilver; neither are they extenſive dealers in any other baſe money than copper.

The Jews, however, deal largely in foreign coin, counterfeited in this country; having been the chief means by which *Louis d'Ors*, *Half Johannas*, as well as various ſilver coins, made of baſe metal, have been ſent out of this country.—It is through the ſame channel that the Sequins of Turkey are circulated; as alſo the Pagodas of India.

In contemplating and in developing the cauſes of the vaſt accumulation and increaſe of baſe money, which has thus deluged the country of late years, the evil will be found to proceed chiefly from the want of *a new coinage*:—*of laws, applicable to the new tricks and devices practiſed by the coiners*:—*of proper rewards for the detection and apprehenſion of offenders*; *and of a ſufficient fund to enſure the prompt execution of the law*; *by a vigorous and energetic police*, directed not only to the detection

tion and punishment of offenders, but also to the means of prevention.

The vigour and energy requisite to the suppression of crimes of every kind, but particularly that of the coinage and circulation of base money, depend much on the zeal and activity of the magistrate: and on the affording an adequate pecuniary resource, to enable him to reward men who may undertake to risk their persons in the company of desperate and daring offenders, in order to obtain that species of evidence which will produce a conviction.—Without such pecuniary resource, the law, as well the exertions of the magistrate, become a dead letter: and his efforts, for the purpose of promoting the ends of public justice, are crippled and lost to the community.

In suppressing great evils, strong and adequate powers must be applied, and nothing can give force and activity to these powers, but the ability to reward liberally all persons engaged in the public service, either as police officers, or as temporary agents for the purpose of detecting atrocious offenders. The following ideas are therefore suggested with a view to the important subject at present under discussion.

The

The coinage laws (except thoſe relating to copper money) which contain the moſt important regulations in the way of prevention, having been made a century ago, it is not to be wondered, in conſequence of the regular progreſs of the evil, and the new tricks and devices reſorted to, in that period, that many obvious amendments have become neceſſary. A conſolidation of the whole laws from the 25th of Edward III. to the 14th of his preſent Majeſty, would, perhaps, be the moſt deſirable object; as it would afford a better opportunity of correcting every deficiency, and of rendering this branch of the criminal code *conciſe*, *clear*, *explicit*,—applicable to the exiſting evils, and to the means of prevention.

For the purpoſe, however, of more fully elucidating this propoſition, it will be neceſſary to ſtate the exiſting laws, and what are conſidered as the moſt apparent deficiencies therein.

We will begin by giving a ſhort *ſummary* of the exiſting laws.

25. Edw. III. *ſtat.* 5, *cap.* 2.
1 Mary, *ſtat.* 2, *c.* 6,
1 & 2 Ph. & Mary, *cap.* 11.

Theſe acts make counterfeiting the gold and ſilver coin of the realm,—counterfeiting foreign money, current within the realm,—knowingly bringing falſe

5 Eliz. *cap.* 11. 14 Eliz. *cap.* 3. 18 Eliz. *cap.* 1.	money into the realm counterfeit to the money of England; or bringing in *any* falſe and counterfeit money, current within the realm; in order to utter the ſame here;—diminiſhing or lightening any current (gold or ſilver) coin, —*High Treaſon.*—— Counterfeiting foreign money, not current in the kingdom,—*Miſpriſion of Treaſon.*
7 Will. III. *cap.* 3. —8 & 9 Will. III. *cap.* 26. (made perpetual by 7 Anne, *c.* 25)—9 & 10 Will. III. *c.* 21.	Theſe acts contain a detail of the principal offences and puniſhments, upon which proſecutions are founded at preſent.
7th of Queen Anne, *cap.* 24.	Allows 400*l.* a year for proſecuting offenders; increaſed by 15 Geo. II. *c.* 28. § 10, to 600*l.*
15th and 16th of George II. *cap.* 28.	Amends ſome of the above laws, and eſtabliſhes new regulations relative to the copper coinage.

11th George III. *cap.* 40.	Makes further regulations respecting the copper coinage; which, however, have not been at all effectual.

We next proceed to state the deficiences of these laws.

1. Prosecutions are at present limited to commence within three months.—This may often defeat justice, as offences committed in the country frequently cannot be tried in less than four, five, and in some cases nearly six months.—THE LIMITATION TO 12 MONTHS WOULD REMOVE THE DIFFICULTY.
2. The words *milled money* seemed necessary, in the minds of the makers of the Act of 8 and 9 William III. *cap.* 26. to form the description of coin similar to the current coin of the realm; and that act declares it to be felony to take, receive, pay, or put off *counterfeited milled money*.—A considerable portion of counterfeit coin is *cast* and *not milled*.—THE WORDS COUNTERFEIT MONEY, MILLED, OR NOT MILLED, WOULD REMOVE THE AMBIGUITY.
3. No provision is made in any act against, and consequently no punishment is inflicted on, the offence of

BUYING BASE MONEY TO RECOLOUR IT:—this is a modern device.

4. Neither does it appear that any proviſion is clearly made, or puniſhment inflicted, for the offence of *uttering baſe ſilver money in exchange*, as well as in payment: except under *ſtat.* 8 and 9 Will. III. *cap.* 26, where the expreſſion of *counterfeit milled money* is uſed; the ambiguity of which has already been noticed. The words in the *ſtat.* 15 Geo. II. *c.* 28. are, "any perſon who ſhall utter or tender in payment," and it ſeems that the word *utter* cannot be detached from the ſubſequent words, "in payment."

5. No exiſting law gives any power to magiſtrates, upon information on oath, TO SEARCH FOR, OR SEIZE COUNTERFEIT COIN, IN THE CUSTODY OR POSSESSION OF KNOWN DEALERS OR REPUTED UTTERERS; although theſe dealers and utterers are now the perſons (and not the actual coiners) who keep the baſe money: neither is there any power to ſeize baſe money conveying in coaches or waggons going into the country.—Under this ſhelter the dealers are enabled to hold markets for ſale in their houſes, where they frequently keep large ſtocks; and baſe money is

alſo

alſo ſent into the country without the leaſt hazard of detection or ſeizure.

6. No power is directly given by any exiſting law, even upon the moſt pointed information, to ſearch the houſes or workſhops of coiners IN THE NIGHT TIME.—Hence it is that *detection* becomes ſo difficult, and the evil increaſes, becauſe the law in ſome meaſure ſhields the offenders from diſcovery.—Since in lottery offences (which are certainly greatly inferior in their enormity to coining) a power is granted to break open houſes in the night time, ſurely no reaſon can be aſſigned why treaſonable offences, in coining baſe money, ſhould not in this reſpect be on the ſame footing.—Unleſs a poſitive power is given to ſearch in the night, and ſuddenly to force open doors or windows, it will be impoſſible to detect the makers of caſt-money.

7. The laws peculiarly relating to the *copper coinage*, although more modern, have alſo been found to be extremely defective, and totally inadequate to their object.

The act of the 11th of his preſent Majeſty, *cap.* 40, indeed, makes it felony to ſell copper money of the ſimilitude OF THE CURRENT MONEY OF THE

REALM at a leſs value than the denomination doth import; but the benefit of clergy not being taken away, and no ſpecific puniſhment being mentioned, the offenders are generally ſubjected only to a year's impriſonment, which proves no check whatever, as their families carry on the buſineſs in the mean time; and if they ſell PLAIN HALFPENCE, or what are called IRISH HARPS, or mix them with STAMPED HALFPENCE, ſimilar to the current coin of the realm, ſo that the ſtamped coin does not exceed the value of what the denomination imports, it is doubtful whether the conviction will not fail.

8. The act above mentioned gives a power to magiſtrates to iſſue their warrants to ſearch for tools and implements uſed in the COPPER COINAGE (with regard to ſilver or gold coinage no ſuch power is given); but, what is very ſingular, NO PUNISHMENT WHATEVER CAN BE INFLICTED BY ANY EXISTING LAW on the owner or proprietor of ſuch tools for making copper money, nor upon the perſon in whoſe houſe they are found; and if when ſuch ſearch is made, there ſhall be found only *plain* halfpence, or IRISH HARPS, or HALFPENCE or FARTHINGS VARYING IN THE STAMP in any degree from the current

current coin of the realm, ſo as not to be of the exact ſimilitude, the act in queſtion is defeated; inaſmuch as the crime of felony does not attach to offences ſhort of coining COPPER MONEY OF THE SIMILITUDE OF THE CURRENT COIN OF THE REALM.—The coinage of baſe copper therefore goes on with impunity; becauſe it is the careleſſneſs of the parties themſelves if ever they permit the law to reach them.

9. The laws now in being give no power to ſeize counterfeit halfpence; either in the hands of the dealers who keep a kind of open market at their own houſes every morning to ſupply jew boys who cry bad ſhillings, or in thoſe of many others in various trades, who become the channels of circulation to a vaſt extent without riſk or inconvenience.—Neither does the ſtatute law authoriſe the apprehenſion of jew boys, who go out every morning loaded with counterfeit copper, which they exchange for bad ſhillings, to be afterwards coloured anew, and again put into circulation.

10. It muſt here be repeated, that the great cauſe of the defect in the execution of the laws againſt coiners, is the want of a proper fund for proſecutions and rewards, and other expences for detecting offenders.—The acts

7 Anne,

7 Anne, *cap.* 24. and 15 George II. *c.* 28. allow £600. for profecuting only; which has never ſince been increaſed by any parliamentary grant, for above half a century; although the offences, as well as the expence of detection and profecutions, have increaſed at leaſt ſix-fold.

The reward of £40. given under the Acts 6 and 7 Will. III. *c.* 17; 15 Geo. II. *c.* 28, is conſtrued to be limited only to the conviction of actual coiners and clippers of gold and ſilver; and is not allowed to extend to colouring and finiſhing, as well as a number of other offences connected with MAKING, COUNTERFEITING, and UTTERING baſe money:—the reward for copper coin is by the ſaid act of 15 Geo. II. *c.* 28, limited to £10. and is by no means a ſufficient encouragement to officers to do their duty.—IT WOULD BE A GREAT IMPROVEMENT IF A LIBERAL SUM WERE ALLOWED ANNUALLY BY PARLIAMENT FOR DETECTIONS, PROSECUTIONS, AND REWARDS; TO BE PAID ON THE REPORT OF THE JUDGES WHO TRY THE OFFENDERS, ACCORDING TO THE MERIT AND TROUBLE OF THE APPREHENDERS, PROSECUTORS, AND WITNESSES; WHETHER THERE IS A CONVICTION OR NOT.

11. The

11. The laws, as they now ſtand, are ſilent regarding provincial copper coin, or what are called *tokens*, repreſenting a halfpenny. — If a new coinage of copper money is not reſolved on by government, it might perhaps be uſeful to legalize *tokens*, or *provincial coins* on three conditions. — 1. THAT THE COPPER OF WHICH THEY ARE MADE SHALL BE PURE.— 2. THAT THIS COIN SHALL BE AT LEAST 50 PER CENT. HEAVIER THAN THE PRESENT MINT COINAGE.—3. THAT THE PARTIES CIRCULATING SUCH COIN BE RESPONSIBLE TO THE HOLDERS, FOR THE VALUE IN GOLD OR SILVER, WHEN DEMANDED: AND SHALL STAMP THEIR NAMES AND AN OBLIGATION TO THAT PURPOSE ON THE COINS, TOKENS, OR MEDALS SO ISSUED BY THEM.—It may alſo be neceſſary that ſuch perſons, iſſuing tokens or medals, ſhould take out a licence for that purpoſe from the principal officers of the mint, as an authority for ſuch coinage; giving ſecurity at the ſame time to obſerve the above conditions.

12. The laws reſpecting foreign coin are extremely defective, and productive at preſent of many frauds upon the public.—The act of the 14th of Elizabeth, *cap.* 3, which declared it to be miſpriſion of treaſon

to counterfeit foreign money, not current in the realm, has not been put in force for many years.—Counterfeit French ſhillings and half crowns, as well as other foreign coins, are made of baſe metal, and mixed with counterfeit Britiſh coin, to the injury of the public.—And foreign coin is counterfeited for exportation, to the diſgrace of the national character. PROHIBITIONS AND RESTRAINTS, UNDER LEGISLATIVE AUTHORITY, HAVE BECOME ABSOLUTELY NECESSARY TO PREVENT THIS EVIL; WHICH DOES NOT AT PRESENT SEEM PUNISHABLE BY ANY EXISTING LAW.

13. The puniſhment inflicted on the different offences ſpecified in the coinage laws, do not ſeem to be in proportion to the degree of enormity, in ſome inſtances; while in others, from being too ſevere, the law is not always put in execution.—The ſale of baſe money (for inſtance) under the value it imports, is only puniſhable by a year's impriſonment; although, in point of fact, it is well known, that the ſellers are the EMPLOYERS OF THE COINERS; that with them this high offence originates, and but for them it would not have been committed: while the actual coiners, who work for theſe dealers merely as journeymen,

journeymen, ſubject themſelves to the puniſhment of death.

14. The miſchievous agents of the dealers in baſe money, THE PERSONS WHO KEEP FLATTING MILLS, AND OTHER MACHINERY, FOR PREPARING, AND ROLLING THEIR METALS, FOR BEING COINED INTO BASE MONEY, are not at preſent within the reach of puniſhment by any exiſting law.—Although by preparing the metal for the ſubſequent proceſs of ſtamping, they are in fact parties concerned, without whoſe aid the coinage could not be carried on.—The chief difficulty is in puniſhing perſons for producing an article which may be turned into coach and harneſs ornaments, buttons, and many purpoſes as well as baſe money.—Perhaps a licence to ſuch perſons as flatten mixed metals, with ſecurity from them "that "they ſhall not work for coiners under a ſevere "penalty," might prove ſome check.—Or why, indeed, might not ſome proviſions, ſimilar to thoſe of the act, 8 and 9 William III. *c.* 26, (againſt perſons blanching copper for ſale, or mixing blanched copper with ſilver, or buying, ſelling, or offering to ſale blanched copper, alone, or mixed with ſilver,) be extended to the whole tribe of dangerous manu-

factures, whoſe trade and abilities are ſo liable to be perverted to bad uſes?

Whatever might be the effect of theſe amendments in the mint laws, and neceſſary as they appear to be, it is ſtill to be feared that until a new coinage of gold and ſilver money ſhall take place, * no legiſlative reſtrictions, regulations, or puniſhments, can produce an effectual cure to this enormous evil; although from the many deficiencies which have been detailed, it is evident a great deal of good may be done immediately in this way.

The coinage of new money is a great ſtate queſtion, which may require a fuller conſideration; but no doubt can be entertained of the indiſpenſable neceſſity of ſuch a meaſure, with regard to ſilver and copper coin, as ſoon as circumſtances will admit.

If to a new coinage of *ſhillings* and *ſixpences*, ſhould be added an extenſive coinage of ſilver money of the value of *three-pence*, according to antient uſage, it would prove a great convenience to the public, and remedy ſome of the abuſes and evils which ariſe from the vaſt quantity of baſe copper now in circulation.

* Vide note *, page 408.

The

The nation might alſo, in a new point of view, derive conſiderable advantages from increaſing the weight of the copper coin, ſo as to bring it as near as poſſible to the *intrinſic* value of the metal of which it is compoſed.

An arrangement of this ſort would not only be the means of effectually preventing counterfeits; but the copper, being a native article produced in the country, might, through the medium of *coined money*, become a profitable branch of commerce with foreign nations; where even an extenſive circulation might be inſured, in conſequence of the *intrinſic* and *denominative* value being the ſame, or nearly ſo,—

This is exemplified in the policy of Sweden, where the copper dollar being ſo heavy as to anſwer to ſixpence ſterling, has long been exported; and forms a conſiderable, and even a profitable branch of commerce to that nation.

In Ruſſia the *three copee piece* is very nearly of the weight of ſix Engliſh halfpence, yet its current value is only a ſmall fraction above one penny ſterling;—and thus by iſſuing no copper coin where the *denominative* is not in proportion to the *intrinſic* value, every claſs of dealers who vend the neceſſaries of life are

ſhielded againſt loſs; and every unnatural riſe in the price of proviſions for the ſubſiſtence of the poor is of courſe prevented.

This principle ſeems to have been admitted by the legiſlature; for when the ſubject of copper money was under the conſideration of the Houſe of Commons, at a period not very remote, the journals ſhew that an opinion then prevailed, "*that the moſt effectual means* "*to ſecure the copper coin from being counterfeited, was* "*that the denominative value of ſuch coin ſhould bear as* "*near a proportion as poſſible to the* intrinſic value of the "metal of which it was formed."

It is earneſtly to be hoped that the regulations propoſed will be adopted; and followed up, by a new coinage of ſilver as well as copper money, ſo as to ſhield the honeſt part of the community againſt a ſyſtem of fraud, rapid beyond all example in its growth, and unparalleled as to its extent.

Certain it is, that baſe money contributes more to the ſupport as well as to the *increaſe* of the number of thoſe miſchievous and abandoned members of the community, who exiſt *wholly* by different kinds of fraud, than any other device which they purſue, to enable them to live in their preſent ſtate of idleneſs and debauchery,

debauchery, and to indulge in luxury and extravagance.

THE INCREASE IS CERTAINLY ASTONISHING, SINCE IT IS KNOWN, THAT IN LONDON AND THE COUNTRY THERE ARE 54 ACTUAL COINERS, AND 56 LARGE DEALERS, BESIDES, AT LEAST, 10 DIE-SINKERS, WHOSE NAMES, CHARACTERS, AND PURSUITS ARE AT PRESENT PERFECTLY KNOWN.—BUT THESE BEAR NO PROPORTION TO THE HORDE OF SMALLER DEALERS AND UTTERERS OF BASE MONEY IN THE METROPOLIS, AND IN MOST OF THE COMMERCIAL AND MANUFACTURING TOWNS IN THE KINGDOM. — THEIR NUMBERS MUST AMOUNT TO SEVERAL THOUSANDS.—FROM BEING AT PRESENT NUISANCES IN SOCIETY, IN THE CONSTANT HABIT OF DEFRAUDING THE PUBLIC, THEY MIGHT BE RENDERED (THROUGH THE APPLICATION OF THE REMEDIES PROPOSED) USEFUL MEMBERS OF THE STATE; BY EXCHANGING A LIFE OF IDLENESS AND CRIMES, FOR A COURSE OF USEFUL LABOUR AND INDUSTRY*.

* COLQUHOUN.

SECT.

SECT. XXX.

BEGGING.

Too long have the public honour and ſafety, morality and religion, called aloud for the extirpation of an evil, which, though habit has rendered it familiar to us, always appears in all its horrid and diſguſting ſhapes; and whoſe dangerous effects ſhow themſelves every where, and are increaſing every day.

Too long already have the virtuous citizens of this metropolis ſeen with concern the growing numbers of the Beggars, their impudence, and their open and ſhameleſs debaucheries; yet idleneſs and mendicity (thoſe peſts of ſociety) have been ſo feebly counteracted, that, inſtead of being checked and ſuppreſſed, they have triumphed over thoſe weak attempts to reſtrain them, and acquiring freſh vigour and activity from ſucceſs, have ſpread their baneful influence far and wide.

What

What well affected citizen can be indifferent to the ſhame that devolves upon himſelf and upon his country, when whole ſwarms of diſſolute rabble, covered with filthy rags, parade the ſtreets, and by tales of real or of fictitious diſtreſs,—by clamorous importunity, inſolence, and rudeneſs, extort involuntary contributions from every traveller?—When no retreat is to be found, no retirement where poverty, miſery, and impudent hypocriſy, in all their diſguſting and hideous forms, do not continually intrude; when no one is permitted to enjoy a peaceful moment, free from their importunity, either in the churches or in public places, at the tombs of the dead, or at the places of amuſement?—What avail the marks of affluence and proſperity which appear in the dreſs and equipage of individuals, in the elegance of their dwellings, and in the magnificence and ſplendid ornaments of our churches, while the voice of woe is heard in every corner, proceeding from pretended cripples; from ſtrong and healthy men capable of labour; from young infants and their ſhameleſs and abandoned parents?

The public honour calls aloud to have a ſtop put to this diſgraceful evil.

The public ſafety alſo demands it.—The dreadful conſequences are obvious, which muſt enſue when great numbers of healthy individuals, and whole families, live in idleneſs, without any ſettled abode, concluding every day with ſchemes for defrauding the public of their ſubſiſtence for the next: where the children belonging to this numerous ſociety are made uſe of to impoſe on the credulity of the benevolent, and where they are regularly trained, from their earlieſt infancy, in all thoſe infamous practices, which are carried on ſyſtematically, and to ſuch an alarming extent, among us.

Great numbers of theſe children grow up to die under the hands of the executioner.—The only inſtruction they receive from their parents is how to cheat and deceive; and daily practice in lying and ſtealing from their very infancy, renders them uncommonly expert in their infamous trade.—The records of the courts of juſtice ſhow in innumerable inſtances, that early habits of idleneſs and beggary are a preparation for the gallows; and among the numerous theſts that are daily committed in this capital, there are very few that are not committed by perſons who get into the houſes under different pretences.

What perſon is ignorant of theſe facts? and who can demand further proofs of the neceſſity of a ſolid and durable

durable inſtitution, for the relief and ſupport of the poor?

The reader would be ſeized with horror, were we to unveil all the ſecret abominations of theſe abandoned wretches.—They laugh alike at the laws of God and of man.—No crime is too horrible and ſhocking for them, nothing in heaven or on the earth too holy not to be profaned by them without ſcruple, and employed with conſummate hyprocriſy to their wicked purpoſes.

Whence is it that this evil proceeds? not from the inability of this great capital to provide for its poor; for no city in the world, of equal extent and population, has ſo many hoſpitals for the ſick and infirm, and other inſtitutions of public charity.—Neither is it owing to the hard-heartedneſs of the inhabitants; for a more feeling and charitable people cannot be found.—Even the uncommonly great and increaſing numbers of the beggars ſhow the kindneſs and liberality of the inhabitants; for theſe vagabonds naturally collect together in the greateſt numbers, where their trade can be carried on to the greateſt advantage.

The injudicious diſpenſation of alms is the real and only ſource of this evil.

In every community there are certainly to be found a greater or leſs number of poor and diſtreſſed perſons, who have juſt claims on the public charity.—This is the caſe every where; and nature dictates to us the duty of adminiſtering relief to ſuffering humanity, and more eſpecially to our poor and diſtreſſed fellow-citizens; and our holy religion promiſes eternal rewards to him who ſupports and relieves the poor and needy: but this relates to the *real* poor.—The truly diſtreſſed are too baſhful to mix with the herd of common beggars; neceſſity, it is true, will ſometimes conquer their timidity, and compel them publicly to ſolicit charity; but their modeſt appeal is unheard or unnoticed, whilſt a diſſolute vagabond, who exhibits an hypocritical picture of diſtreſs,—a drunken wretch, who pretends to have a numerous family and to be perſecuted by misfortune,—or an impudent unfeeling woman, who excites pity by the tears and cries of a poor child whom ſhe has hired perhaps for the purpoſe, and tortured into ſuffering, ſteps daringly forward to intercept the alms of the charitable; and the well-intentioned gift which ſhould relieve the indigent is the prize of impudence and impoſition, and the ſupport of vice and idleneſs.—What then is left for the modeſt object of real diſtreſs, but to

retire

retire diſpirited and hide himſelf in the obſcurity of his hut, there to languiſh in miſery, whilſt the bolder beggar conſumes, in public houſes, the ill-beſtowed gift in mirth and riot?—And, yet, the charitable donor flatters himſelf that he has performed an exemplary duty!

WE THEREFORE EARNESTLY ENTREAT EVERY ONE, AND ESPECIALLY THE INHABITANTS OF THIS CAPITAL, EACH IN HIS RESPECTIVE STATION, NO LONGER TO COUNTENANCE MENDICITY BY SUCH A MISAPPLICATION OF THEIR WELL-MEANT CHARITY; CONTIBUTING THUS TO AUGMENT THE FATAL CONSEQUENCES OF THE EVIL ITSELF, AS WELL AS TO IMPEDE THE RELIEF OF THE REALLY NECESSITOUS.

SECT. XXXI.

PUBLIC ESTABLISHMENT FOR THE POOR.

As nothing tends more powerfully to encourage idleneſs and immorality among the poor, and conſequently to perpetuate all the evils to ſociety which ariſe from the prevalence of poverty and mendicity, than injudicious diſtributions of alms; individuals muſt be very cautious in beſtowing their private charities, and in forming ſchemes for giving aſſiſtance to the diſtreſſed; otherwiſe they will moſt certainly do more harm than good.—The evil tendency of giving alms indiſcriminately to beggars is univerſally acknowledged; but it is not, I believe, ſo generally known how much harm is done by what are called the *private charities* of individuals.—Far be it from me to wiſh to diſcourage private charities; I am only anxious that they ſhould be better applied.

Without taking up time in analyſing the different motives by which perſons of various character are induced

duced to give alms to the poor, or of ſhewing the conſequences of their injudicious or careleſs donations; which would be an unprofitable as well as a diſagreeable inveſtigation; I ſhall briefly point out what appear to me to be the moſt effectual means which individuals in affluent circumſtances can employ for the aſſiſtance of the poor in their neighbourhood.

An object of the very firſt importance in forming an eſtabliſhment for the relief and ſupport of the poor, is to take effectual meaſures for introducing a ſpirit of induſtry among them; for it is moſt certain, that *all ſums of money, or other aſſiſtance, given to the poor in alms, which do not tend to make them induſtrious, never can fail to have a contrary tendency, and to operate as an encouragement to idleneſs and immorality.*

And as the merit of an action is to be determined by the good it produces, the charity of a nation ought not to be eſtimated by the millions which are paid in poor's taxes, but by *the pains which are taken* to ſee that the ſums raiſed are properly applied.

As the providing uſeful employment for the poor, and rendering them induſtrious, is, and ever has been, a great *deſideratum* in political economy, it may be

proper

proper to enlarge a little here, upon that intereſting ſubject.

The great miſtake committed in moſt of the attempts which have been made to introduce a ſpirit of induſtry, where habits of idleneſs have prevailed, has been the too frequent and improper uſe of coercive meaſures, by which the perſons to be reclaimed have commonly been offended and thoroughly diſguſted at the very outſet.—Force will not do it.—Addreſs, not force, muſt be uſed on thoſe occaſions.

The children in the houſe of induſtry at Munich, who, being placed upon elevated ſeats round the halls where other children worked, were made to be idle ſpectators of that amuſing ſcene, cried moſt bitterly when their requeſt to be permitted to deſcend from their places, and mix in that buſy crowd, was refuſed;—but they would, moſt probably, have cried ſtill more, had they been taken abruptly from their play and *forced* to work.

"Men are but children of a larger growth;"—and thoſe who undertake to direct them, ought ever to bear in mind that important truth.

That impatience of control, and jealouſy and obſtinate perſeverance in maintaining the rights of perſonal li-

berty and independence, which ſo ſtrongly mark the human character in all the ſtages of life, muſt be managed with great caution and addreſs, by thoſe who are deſirous of doing good;—or, indeed, of doing any thing effectually with mankind.

It has often been ſaid, that the poor are vicious and profligate, and that *therefore* nothing but force will anſwer to make them obedient, and keep them in order;—but, I ſhould ſay, that *becauſe* the poor are vicious and profligate, it is ſo much the more neceſſary to avoid the appearance of force in the management of them, to prevent their becoming rebellious and incorrigible.

Thoſe who are employed to take up and tame the wild horſes belonging to the Elector Palatine, which are bred in the foreſt near DUSSELDORF, never uſe force in reclaiming that noble animal, and making him docile and obedient.—They begin with making a great circuit, in order to approach him; and rather decoy than force him into the ſituation in which they wiſh to bring him, and ever afterwards treat him with the greateſt kindneſs; it having been found by experience, that ill-uſage ſeldom fails to make him "a man-hater," untameable, and incorrigibly vicious.—It may, perhaps,

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be thought fanciful and trifling, but the fact really is, that an attention to the means uſed by theſe people to gain the confidence of thoſe animals, and teach them to like their keepers, their ſtables, and their mangers, ſuggeſted to me many ideas which I afterwards, ſays Count Rumford, put into execution with great ſucceſs, in reclaiming thoſe abandoned and more ferocious animals in human ſhape, which I undertook to tame and render gentle and docile.

It is however neceſſary in every attempt to introduce a ſpirit of order and induſtry among the idle and profligate, not merely to avoid all harſh and offenſive treatment, which, as has already been obſerved, could only ſerve to irritate them, and render them ſtill more vicious and obſtinate, but it is alſo indiſpenſably neceſſary to do every thing that can be deviſed to encourage and reward every ſymptom of reformation.

It will likewiſe be neceſſary ſometimes to puniſh the obſtinate; but recourſe ſhould never be had to puniſhments till *good uſage* has been firſt fairly tried and found to be ineffectual.—The delinquent muſt be made to ſee that he has deſerved the puniſhment, and when it is inflicted, care ſhould be taken to make him feel it.—But in order that the puniſhment may have the effects intended,

intended, and not ſerve to irritate the perſon puniſhed, and excite perſonal hatred and revenge, inſtead of diſpoſing the mind to ſerious reflection, it muſt be adminiſtered in the moſt ſolemn and moſt *diſpaſſionate* manner; and it muſt be continued no longer than till the *firſt dawn* of reformation appears.

How much prudence and caution are neceſſary in diſpenſing rewards and puniſhments; and yet—how little attention is in general paid to thoſe important tranſactions!

Rewards and *puniſhments* are the only means by which mankind can be controlled and directed; and yet, how often do we ſee them diſpenſed in the moſt careleſs—moſt imprudent—and moſt improper manner!—how often are they confounded!—how often miſapplied!—and how often do we ſee them made the inſtruments of gratifying the moſt ſordid private paſſions!

To the improper uſe of them may be attributed all the diſorders of civil ſociety.—To the improper or careleſs uſe of them may, moſt unqueſtionably, be attributed the prevalence of poverty, miſery, and mendicity in moſt countries, and particularly in *Great-Britain*, where the healthfulneſs and mildneſs of the climate—the fertility of the ſoil—the abundance of fuel—the

numerous and flouriſhing manufactures—the extenſive commerce—and the millions of acres of waſte lands which ſtill remain to be cultivated, furniſh the means of giving uſeful employment to all its inhabitants, and even to a much more numerous population.

But if inſtead of encouraging the laudable exertions of uſeful induſtry, and aſſiſting and relieving the unfortunate and the infirm—(the only real objects of charity,)—the means deſigned for thoſe purpoſes are ſo miſapplied as to operate as rewards to idleneſs and immorality, the greater the ſums are which are levied on the rich for the relief of the poor, the more numerous will that claſs become, and the greater will be their profligacy, their inſolence, and their ſhameleſs and clamorous importunity.

There is, it cannot be denied, in man, a natural propenſity to ſloth and indolence; and though habits of induſtry,—like all habits,—may render thoſe exertions eaſy and pleaſant which at firſt are painful and irkſome, yet no perſon, in any ſituation, ever choſe labour merely for its own ſake. It is always the apprehenſion of ſome greater evil,—or the hope of ſome enjoyment, by which mankind are compelled or allured, when they take to induſtrious purſuits.

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In the rude ſtate of ſavage nature the wants of men are few, and theſe may all be eaſily ſupplied without the commiſſion of any crime; conſequently induſtry, under ſuch circumſtances, is not neceſſary, nor can indolence be juſtly conſidered as a vice; but in a ſtate of civil ſociety, where population is great, and the means of ſubſiſtence not to be had without labour, or without defrauding others of the fruits of their induſtry, idleneſs becomes a crime of the moſt fatal tendency, and conſequently of the moſt heinous nature; and every means ſhould be uſed to diſcountenance, puniſh, and prevent it.

And we ſee that PROVIDENCE, ever attentive to provide remedies for the diſorders which the progreſs of ſociety occaſions in the world, has provided for idleneſs—as ſoon as the condition of ſociety renders it a vice, but not before—a puniſhment every way ſuited to its nature, and calculated to prevent its prevalency and pernicious conſequences:—This is *want* *,—and a moſt efficacious remedy it is for the evil,—when the *wiſdom of man* does not interfere to counteract it, and prevent its ſalutary effects.

* He who will not work deſerves to *ſtarve*, ſays St. Paul.

But reſerving the farther inveſtigation of this part of my ſubject—that reſpecting the means to be uſed for encouraging induſtry—to ſome future opportunity, I ſhall now endeavour to ſhow, in a few words, how, under the moſt unfavourable circumſtances, an arrangement for putting an end to mendicity, and introducing a ſpirit of induſtry among the poor, might be introduced and carried into execution.

If I am obliged to take a great circuit, in order to arrive at my object, it muſt be remembered, that where a vaſt weight is to be raiſed by human means, a variety of machinery muſt neceſſarily be provided; and that it is only by bringing all the different powers employed to act together to the ſame end, that the purpoſe in view can be attained. It will likewiſe be remembered, that as no mechanical power can be made to act without a force be applied to it ſufficient to overcome the reſiſtance, not only of the *vis inertia*, but alſo of friction, ſo no moral agent can be brought to act to any given end without ſufficient motives; that is to ſay, without ſuch motives as *the perſon who is to act* may deem ſufficient, not only to decide his opinion, but alſo to *overcome his indolence*.

The

The object proposed,—the relief of the poor, and the providing for their future comfort and happiness, by introducing among them a spirit of order and industry, is such as cannot fail to meet with the approbation of every well-disposed person.—But I will suppose, that a bare conviction of the *utility* of the measure is not sufficient alone to overcome the indolence of the public, and induce them to engage *actively* in the undertaking; —yet as people are at all times, and in all situations, ready enough to do what they *feel* to be their interest, if, in bringing forward a scheme of public utility, the proper means be used to render it so interesting as to awaken the *curiosity*, and fix the attention, of the public, no doubts can be entertained of the possibility of carrying it into effect.

In arranging such a plan, and laying it before the public, no small degree of knowledge of mankind, and particularly of the various means of acting on them, which are peculiarly adapted to the different stages of civilization, or rather of the political refinement and corruption of society, would, in most cases, be indispensably necessary; but with that knowledge, and a good share of zeal, address, prudence, and perseverance, there are few schemes, in which an honest man would wish

to

to be concerned, that might not be carried into execution in any country.

In ſuch a city as *London*, where there is great wealth; —public ſpirit;—enterprize;—and zeal for improvement; little more, I flatter myſelf, would be neceſſary to engage all ranks to unite in carrying into effect ſuch a ſcheme, than to ſhow its public utility; and, above all, to prove that there *is no job* at the bottom of it.

It would, however, be adviſable, in ſubmitting to the Public, Propoſals for forming ſuch an Eſtabliſhment, to ſhow that thoſe who are invited to aſſiſt in carrying it into execution, would not only derive from it much pleaſure and ſatisfaction, but alſo many real advantages; for too much pains can never be taken to intereſt the public individually, and directly, in the ſucceſs of meaſures tending to promote the general good of ſociety.

In the forty-third year of the reign of Queen ELIZABETH, an act was paſſed, requiring the churchwardens and overſeers of every pariſh, under the direction of the magiſtrates, to provide materials and implements, for the purpoſe of ſetting the poor to work; and to compel ſuch perſons to work, as ſhould not be thought able to maintain themſelves and families. She limited the

numbers

numbers of the poor, and prevented their increaſe, by not ſuffering cottages to be erected, unleſs they were endowed each with four acres of land; and at the ſame time forbidding inmates. The ſuperior wiſdom of theſe laws will appear from hence, that for ninety years there were no complaints to occaſion any alteration in them. This act may be conſidered as the ground-work of all the ſubſequent plans for the relief and employment of the poor, very little having been done for that purpoſe before this time. If it has not been *generally* attended with the good effects which might have been expected from it; the want of ſucceſs is not ſo much to be attributed to the deficiences of the act itſelf, as to a total relaxation of diſcipline, and to other cauſes, which it would be invidious to mention.

Mr. Locke, in a memorial drawn up by him and delivered by the Board of Trade, of which he was a member, to the lords juſtices of the kingdom, inculcates this wiſe plan of conduct; *That Working Schools ſhould be ſet up in every pariſh, to which the children of all ſuch as demand relief of the pariſh above three, and under fourteen years of age, ſhould be obliged to come.* To this excellent plan was added a power to admit into the ſame room *grown perſons* out of employ,

and

and a recommendation to incite and encourage labourers not chargeable, or even not belonging to the parish, where they reside, to send their children to it, for the advantage of being brought up in habits of industry *.

This method is productive of several advantages.

" I. It has a tendency to revive that proper submission, and decent subordination, which the profligate licentiousness of the times has almost annihilated.

" II. It provides an opportunity for the exertions of those, who, *from their number in family*, or *from the smallness of their habitations*, could not have worked at home, or not without frequent interruptions.

" III. It produces a much more considerable quantity of work, than could possibly have been obtained, had the same persons, &c. been embarrassed by the continual bustle, and various avocations of family concerns,

* Wherever any attempt has been made to employ the poor, it has seldom failed of producing some good effect: for notwithstanding the produce of the manufactures, wherein the poor are employed, should happen to be but small, yet if the poor are kept from idleness and beggary, and inured to a sober and industrious way of living, the good effects thereof, as well to themselves as to the public, will fully compensate all the expence.

and uninfluenced by that emulation, which naturally ariſes among numbers engaged together in the ſame employment.

" IV. It greatly improves the *quality* of the work, by ſubjecting it to the conſtant inſpection of the maſter or miſtreſs.

" V. It occaſions a very conſiderable ſaving of the fuel and light, which muſt be wanted for enabling the ſpinners, &c. to obtain in winter, any ſuch wages as ſhall afford them a comfortable maintenance.

" VI. It obviates every complaint that can ariſe from want of employment, by opening an aſylum, where the unemployed may always exerciſe ſome trade.

" We will therefore preſume to hope that the plan of the *Society of Induſtry*, if ſeriouſly adopted and ſteadily perſevered in as it is kindly and earneſtly recommended, will probably change the face of things in this country, that every intereſt both of this world and the next will be advanced by it, that every pariſh will be paid tenfold what may be laid out in ſo good a work, by a reduction of its rates; but however *this* be, that every inhabitant who can feel and think, were he to be put to the *expence* of twice as much as in fact he may *gain* by

this reform, ought even at that rate to bear such an incumberance cheerfully, for the pleasure of being surrounded with happier and honester neighbours, and for the satisfaction of seeing the morals and goodness of his country increase with its prosperity."

It would be highly improper to hold out delusive hopes that the poor rates will *immediately* receive any considerable diminution by this plan of employing the poor.—The first, and grand object of consideration in the breast of every liberal man should be the better relief and management of the poor.—If they can be made more comfortable, if they can be rendered more respectful, more decent and orderly, more beneficial to the community;—and if at the same time the expence of maintaining them can be lessened by the means above suggested, *two very considerable advantages will be obtained.*

If their better relief and management should *not* be attended with a diminution of expence, or even if the expence (which there is little reason to apprehend) should be somewhat increased, still we shall have gained a very material benefit, in their better behaviour and in seeing them made more happy.—But from the experience

rience of the good effects which have attended this ſyſtem in the counties of *Lincoln* and *Rutland*, we are juſtified in expecting that it *will leſſen the public burden occaſioned by the maintenance of the poor*.—In proof of the reaſonableneſs of this aſſertion, we mention the following important fact.—" Upon taking a general view of the tables publiſhed by the ſociety of induſtry in *Lincolnſhire*, it appears that 135 children between eleven and twelve years of age, in *ten months*, taken in the depth of five ſucceſſive winters, earned the ſum of 680*l.* 3*s.* 3*d.* or HALF A CROWN A WEEK EACH; excluſive of all their work during the other ten months of each of thoſe years."

To what has been already advanced, we will only add the following obſervation of Mr. LOCKE, in the report of the board of trade above alluded to.—" Every one muſt have meat, drink, cloathing, and firing; ſo much goes out of the ſtock of the kingdom, whether they work or no.—Suppoſing, then, there be *a hundred thouſand* poor in *England* that live upon the pariſh; that is, who are maintained by other people's labour, (for ſo is every one who lives upon alms without working;) if care were taken that every one of thoſe, by ſome labour in the woollen or other manufacture, ſhould earn but a

PENNY a day, (which one with another they might well do, and more) this would gain to *England* a HUNDRED AND THIRTY THOUSAND POUNDS per annum, which in *eight years* would make *England* above a MILLION of POUNDS richer."

The juſtices of the peace for the diſtrict of *Lindſey*, in *Lincolnſhire*, deſerve alſo their ſhare of praiſe.—Finding the legiſlature tardy, on their own authority they came to reſolutions, which do credit to their underſtanding.—They declare againſt workhouſes, for the moſt ſubſtantial reaſons, the expence at which they are maintained, and the contemptible produce of their labour.—They well obſerve, that when the poor work by compulſion, they are too apt, by awkwardneſs, negligence, or ill-will, to ſpoil their work; and that the pariſh officers, either from good-nature, from indolence, or from being occupied in their own private buſineſs, ſeldom puniſh.—They juſtly condemn the opinion which had prevailed, that diſtreſs ariſing from wanton idleneſs is no leſs entitled to relief than that which inevitable misfortunes have occaſioned.—They conclude with recommending workſhops, as promoting emulation, good ſpinning, and good reeling, and as giving to the poor ſufficient room to work in, and certainty of employment.

employment.—In conformity with theſe principles, they ordered, that no one ſhould have any relief till he had done ſuch work as he was capable of; that materials and convenient places ſhould be provided for ſetting the poor to work; and that all children ſhould be taught to knit before they were ſix years old, and to ſpin before they were nine.—In aid of theſe judicious orders, ſchools were opened, and premiums were given from the poor rates.

THOMAS FIRMIN, a friend of Archbiſhop TILLOTSON, had long ſince delivered the ſame opinions, which we here find adopted by theſe reſpectable gentlemen in *Lincolnſhire*.—This truly benevolent and uſeful citizen gave out raw materials to the induſtrious poor; and he well remarked, that one ſhilling earnt by labour went further than two by way of gift.

FROM THESE PRINCIPLES WE MUST NOT ONLY CONDEMN THE WHOLE SYSTEM OF OUR PRESENT POOR'S LAW, BUT EVERY SYSTEM WHICH STANDS IN NEED OF WORKHOUSES.—WE MUST COMMEND SCHOOLS OF INDUSTRY, PAROCHIAL WORKSHOPS, AND MAGAZINES OF RAW MATERIALS; AND WE MUST GIVE ENCOURAGEMENT, UNDER PROPER REGULATIONS, TO FRIENDLY SOCIETIES AMONG THE

LABOURING POOR.—BUT, ABOVE ALL, WE MUST STRENUOUSLY CONTEND, THAT WHATEVER AID IS GIVEN BY THE PUBLIC, SHOULD BE DISPENSED IN SUCH A WAY AS TO CALL FORTH THE MOST STRENUOUS EFFORTS OF THE PARTY WHO IS TO BE RELIEVED, WITH GRATITUDE TO HIS BENEFACTORS, AND DUE SUBORDINATION TO HIS EMPLOYERS.

SECT.

SECT. XXXII.

SIR BENJAMIN THOMSON'S * ACCOUNT OF THE ESTABLISHMENT AT MUNICH.

BUT in order to clear the country of beggars (the number of whom in Bavaria had become quite intolerable) it was neceſſary to adopt general and efficacious meaſures for maintaining and ſupporting the poor. Laws were not wanting to oblige each community in the country to provide for its own poor; but theſe laws had been ſo long neglected, and beggary had become ſo general, that extraordinary meaſures, and the moſt indefatigable exertions, were neceſſary to put a ſtop to this evil.—The number of itinerant beggars, of both ſexes, and all ages, as well foreigners as natives, who ſtrolled about the country in all directions, levying contributions from the induſtrious inhabitants, ſtealing and robbing, and leading a life of indolence, and

* This patriot philoſopher has been created Count de Rumford by the reigning Duke of Bavaria.

the

the moſt ſhameleſs debauchery, was quite incredible; and ſo numerous were the ſwarms of beggars in all the great towns, and particularly in the capital, ſo great their impudence, and ſo perſevering their importunity, that it was almoſt impoſſible to croſs the ſtreets without being attacked, and abſolutely forced to ſatisfy their clamorous demands.—And theſe beggars were in general by no means ſuch as from age or bodily infirmities were unable by their labour to earn their livelihood; but they were for the moſt part, ſtout, ſtrong, healthy, ſturdy beggars, who, loſt to every ſenſe of ſhame, had embraced the profeſſion from choice, not neceſſity; and who, not unfrequently, added inſolence and threats to their importunity, and extorted that from fear, which they could not procure by their arts of diſſimulation.

In ſhort, theſe deteſtable vermin ſwarmed every where, and not only their impudence and clamorous importunity were without any bounds, but they had recourſe to the moſt diabolical arts, and moſt horrid crimes, in the proſecution of their infamous trade.—Young children were ſtolen from their parents by theſe wretches, and their eyes put out, or their tender limbs broken or diſtorted, in order, by expoſing them thus maimed, to excite the pity and commiſeration of the

public;

public; and every ſpecies of artifice was made uſe of to agitate the ſenſibility, and to extort the contributions of the humane and charitable.

Some of theſe monſters were ſo void of all feeling as to expoſe even their own children, naked, and almoſt ſtarved, in the ſtreets, in order that, by their cries and unaffected expreſſions of diſtreſs, they might move thoſe who paſſed by to pity and relieve them; and in order to make them act their part more naturally, they were unmercifully beaten when they came home, by their inhuman parents, if they did not bring with them a certain ſum, which they were ordered to collect.

I have frequently ſeen a poor child of five or ſix years of age, late at night, in the moſt inclement ſeaſon, ſitting down almoſt naked at the corner of a ſtreet, and crying moſt bitterly; if he were aſked what was the matter with him, he would anſwer, "I am cold and "hungry, and afraid to go home; my mother told me "to bring home twelve half-pence, and I have only "been able to beg five. My mother will certainly beat "me if I do not carry home ten or twelve." Who could refuſe ſo ſmall a ſum to relieve ſo much unaffected diſtreſs?—But what horrid arts are theſe, to work upon the feelings of the public, and levy involuntary

contributions for the ſupport of idleneſs and debauchery!

That total inſenſibility to ſhame, and all thoſe other qualifications which are neceſſary in the profeſſion of a beggar, are likewiſe eſſential to form an accompliſhed thief; and both theſe profeſſions derive very conſiderable advantages from their union. A beggar who goes about from houſe to houſe to aſk for alms, has many opportunities to ſteal, which another would not ſo eaſily find; and his profeſſion as a beggar gives him a great facility in diſpoſing of what he ſteals; for he can always ſay it was given him in charity. No wonder then that thieving and robbing ſhould be prevalent where beggars are numerous.

That this was the caſe in Bavaria will not be doubted by thoſe who are informed that in the four years immediately ſucceeding the introduction of the meaſures adopted for putting an end to mendicity, and clearing the country of beggars, thieves, robbers, &c. above *ten thouſand* of theſe vagabonds, foreigners and natives, were actually arreſted and delivered over to the civil magiſtrates; and that in taking up the beggars in Munich, and providing for thoſe who ſtood in need of public aſſiſtance, no leſs than 2600 were entered upon the

lists; though the whole number of the inhabitants of the city of Munich probably does not amount to more than 60,000, even including the suburbs.

But before I proceed to give a more particular account of the funds of this institution, and of the application of them, it will be necessary to mention the preparations which were made for furnishing employment to the poor, and the means which were used for reclaiming them from their vicious habits, and rendering them industrious and useful subjects. And this was certainly the most difficult, as well as the most curious and interesting part of the undertaking. To trust raw materials in the hands of common beggars, certainly required great caution and management;—but to produce so total and radical a change in the morals, manners, and customs of this debauched and abandoned race, as was necessary to render them orderly and useful members of society, will naturally be considered as an arduous, if not impossible, enterprise. In this I succeeded; —for the proof of this fact I appeal to the flourishing state of the different manufactories in which these poor people are now employed,—to their orderly and peaceable demeanour—to their cheerfulness—to their industry,—to the desire to excel, which manifests itself

among them upon all occaſions,—and to the very air of their countenances. Strangers, who go to ſee this inſtitution, (and there are very few who paſs through *Munich* who do not take that trouble,) cannot ſufficiently expreſs their ſurpriſe at the air of happineſs and contentment which reigns through every part of this extenſive eſtabliſhment, and can hardly be perſuaded, that among thoſe they ſee ſo cheerfully engaged in that intereſting ſcene of induſtry, by far the greater part were, five years ago, the moſt miſerable and moſt worthleſs of beings,—common beggars in the ſtreets.

An account of the means employed in bringing about this change cannot fail to be intereſting to every benevolent mind; and this is what has encouraged me to lay theſe details before the public.

By far the greater number of the poor people to be taken care of were not only common beggars, but had been bred up from their very infancy in that profeſſion; and were ſo attached to their indolent and diſſolute way of living, as to prefer it to all other ſituations. They were not only unacquainted with all kinds of work, but had the moſt inſuperable averſion to honeſt labour; and had been ſo long familiarized with every crime, that they

they had become perfectly callous to all ſenſe of ſhame and remorſe.

With perſons of this deſcription, it is eaſy to be conceived that precepts;—admonitions;—and puniſhments, would be of little or no avail. But where precepts fail, *habit* may ſometimes be ſucceſsful.

To make vicious and abandoned people happy, it has generally been ſuppoſed neceſſary, *firſt*, to make them virtuous. But why not reverſe this order? Why not make them firſt *happy*, and then virtuous? If happineſs and virtue be *inſeparable*, the end will be as certainly obtained by the one method as by the other; and it is moſt undoubtedly much eaſier to contribute to the happineſs and comfort of perſons in a ſtate of poverty and miſery, than, by admonitions and puniſhments, to reform their morals.

Deeply ſtruck with the importance of this truth, all my meaſures were taken accordingly. Every thing was done that could be deviſed to make the poor people I had to deal with comfortable and happy in their new ſituation; and my hopes, that a habit of enjoying the real comforts and conveniences which were provided for them, would in time, ſoften their hearts;—open their eyes;—and render them grateful and docile, were not diſappointed.

The

The pleaſure I have had in the ſucceſs of this experiment is much eaſier to be conceived than deſcribed. Would to God that my ſucceſs might encourage others to follow my example! If it were generally known how little trouble, and how little expence, are required to do much good, the heart-felt ſatisfaction which ariſes from relieving the wants, and promoting the happineſs of our fellow-creatures, is ſo great, that I am perſuaded, acts of the moſt eſſential charity would be much more frequent, and the maſs of miſery among mankind would conſequently be much leſſened.

Moſt of them had been uſed to live in the moſt miſerable hovels, in the midſt of vermin, and every kind of filthineſs; or to ſleep in the ſtreets, and under the hedges, half naked, and expoſed to all the inclemencies of the ſeaſons. A large and commodious building, fitted up in the neateſt and moſt comfortable manner, was now provided for their reception. In this agreeable retreat they found ſpacious and noble apartments, kept with the moſt ſcrupulous neatneſs, well warmed in winter, and well lighted; a good warm dinner every day, *gratis*, cooked and ſerved up with all poſſible attention to order and cleanlineſs;—materials and utenſils for thoſe who were able to work;—maſters,

gratis,

gratis, for those who required instruction;—the most generous pay, *in money*, for all the labour performed; and the kindest usage from every person, from the highest to the lowest, belonging to the establishment. Here, in this asylum for the indigent and unfortunate, no ill usage;—no harsh language, is permitted. During five years that the establishment has existed, not a blow has been given to any one; not even to a child by his instructor.

As the rules and regulations for the preservation of order are few, and easy to be observed, the instances of their being transgressed are rare; and as all the labour performed, is paid by the piece, and not by the day; and is well paid; and as those who gain the most by their work in the course of the week, receive proportional rewards on the Saturday evening; these are most effectual encouragements to industry.

It is easy to conceive that so great a number of unfortunate beings, of all ages and sexes, taken as it were out of their very element, and placed in a situation so perfectly new to them, could not fail to be productive of very interesting situations. Would to God I were able to do justice to this subject! but no language can describe the affecting scenes to which I was a witness upon this occasion.

The

The exquiſite delight which a ſenſible mind muſt feel, upon ſeeing many hundreds of wretched beings awaking from a ſtate of miſery and inactivity, as from a dream; and applying themſelves with cheerfulneſs to the employments of uſeful induſtry;—upon ſeeing the firſt dawn of placid content break upon a countenance covered with habitual gloom, and furrowed and diſtorted by miſery;—this is eaſier to be conceived than deſcribed.

During the firſt three or four days that theſe poor people were aſſembled, it was not poſſible entirely to prevent confuſion: there was nothing like mutinous reſiſtance among them; but their ſituation was ſo new to them, and they were ſo very awkward in it, that it was difficult to bring them into any tolerable order. At length, however, by diſtributing them in the different halls, and aſſigning to each his particular place, (the places being all diſtinguiſhed by numbers,) they were brought into ſuch order as to enable the inſpectors, and inſtructors, to begin their operations.

Thoſe who underſtood any kind of work, were placed in the apartments where the work they underſtood was carried on; and the others, being claſſed according to their ſexes, and as much as poſſible according to their

ages,

ages, were placed under the immediate care of the different inſtructors.—By much the larger number were put to ſpinning of hemp;—others, and particularly the young children from four to ſeven years of age, were taught to knit, and to ſew; and the moſt awkward among the men, and particularly the old, the lame, and the infirm, were put to carding of wool.—Old women, whoſe ſight was too weak to ſpin, or whoſe hands trembled with palſy, were made to ſpool yarn for the weavers; and young children, who were too weak to labour, were placed upon ſeats erected for that purpoſe round the rooms where other children worked.

The awkwardneſs of theſe poor creatures, when they were firſt taken from the ſtreets as beggars, and put to work, may eaſily be conceived; but the facility with which they acquired addreſs in the various manufactures in which they were employed, was very remarkable, and much exceeded my expectation. But what was quite ſurpriſing, and at the ſame time intereſting in the higheſt degree, was the apparent and rapid change which was produced in their manners,—in their general behaviour,—and even in the very air of their countenances, upon being a little accuſtomed to their new ſituations. —The kind uſage they met with, and the comforts

they enjoyed, seemed to have softened their hearts, and awakened in them sentiments as new and surprising to themselves, as they were interesting to those about them.

The melancholy gloom of misery, and air of uneasiness and embarrassment, disappeared by little and little from their countenances, and were succeeded by a timid dawn of cheerfulness, rendered most exquisitely interesting by a certain mixture of silent gratitude, which no language can describe.

In the infancy of this establishment, when these poor creatures were first brought together, I used very frequently to visit them,—to speak kindly to them,—and to encourage them;—and I seldom passed through the halls where they were at work, without being a witness to the most moving scenes.

Objects, formerly the most miserable and wretched, whom I had seen for years as beggars in the streets;—young women,—perhaps the unhappy victims of seduction, who, having lost their reputation, and being turned adrift in the world, without a friend and without a home, were reduced to the necessity of begging, to sustain a miserable existence, now recognized me as their benefactor; and, with tears dropping fast from their

cheeks, continued their work in the moſt expreſſive ſilence.

If they were aſked, what the matter was with them? their anſwer was, ("nichts") "nothing;" accompanied by a look of affectionate regard and gratitude, ſo exquiſitely touching as frequently to draw tears from the moſt inſenſible of the byſtanders.

It was not poſſible to be miſtaken with reſpect to the real ſtate of the minds of theſe poor people; every thing about them ſhowed that they were deeply affected with the kindneſs ſhewn them;—and that their hearts were really ſoftened, appeared, not only from their unaffected expreſſions of gratitude, but alſo from the effuſions of their affectionate regard for thoſe who were dear to them.—In ſhort, never did I witneſs ſuch affecting ſcenes as paſſed between ſome of theſe poor people and their children.

It was mentioned above that the children were ſeparated from the grown perſons.—This was the caſe at firſt; but as ſoon as order was thoroughly eſtabliſhed in every part of the houſe, and the poor people had acquired a certain degree of addreſs in their work, and evidently took pleaſure in it, as many of thoſe who had children expreſſed an earneſt deſire to have them near

them, permiſſion was granted for that purpoſe; and the ſpinning halls, by degrees, were filled with the moſt intereſting little groups of induſtrious families, who vied with each other in diligence and addreſs; and who diſplayed a ſcene, at once the moſt buſy, and the moſt cheerful, that can be imagined.

An induſtrious family is ever a pleaſing object; but there was ſomething peculiarly intereſting and affecting in the groups of theſe poor people.—Whether it was, that thoſe who ſaw them compared their preſent ſituation with the ſtate of miſery and wretchedneſs from which they had been taken;—or whether it was the joy and exultation which were expreſſed in the countenances of the poor parents in contemplating their children all buſily employed about them;—or the air of ſelf-ſatisfaction which theſe little urchins put on, at the conſciouſneſs of their own dexterity, while they purſued their work with redoubled diligence upon being obſerved, that rendered the ſcene ſo ſingularly intereſting,—I know not; but certain it is, that few ſtrangers who viſited the eſtabliſhment, came out of theſe halls without being much affected.

Many humane and well-diſpoſed perſons are often withheld from giving alms, on account of the bad cha-

racter

racter of beggars in general; but this circumſtance, though it ought undoubtedly to be taken into conſideration in determining the mode of adminiſtering our charitable aſſiſtance, ſhould certainly not prevent our intereſting ourſelves in the fate of theſe unhappy beings. On the contrary, it ought to be an additional incitement to us to relieve them;—for nothing is more certain, than that their crimes are very often the *effects*, not the *cauſes* of their miſery; and when this is the caſe, by removing the cauſe, the effects will ceaſe.

Nothing is more extraordinary and unaccountable, than the inconſiſtency of mankind in every thing; even in the practice of that divine virtue benevolence; and moſt of our miſtakes ariſe more from indolence and from inattention, than from any thing elſe. The buſy part of mankind are too intent upon their own private purſuits; and thoſe who have leiſure, are too averſe to giving themſelves the leaſt trouble, to inveſtigate a ſubject but too generally conſidered as tireſome and unintereſting. But if it be true, that we are really happy only in proportion as we ought to be ſo;—that is, in proportion as we are inſtrumental in promoting the happineſs of others; no ſtudy ſurely can be ſo intereſting, as that which

which teaches us how moſt effectually to contribute to the well being of our fellow creatures.

If *love* be blind, *ſelf-love* is certainly very ſhort ſighted; and without the aſſiſtance of reaſon and reflection, is but a bad guide in the purſuit of happineſs.

Thoſe who take pleaſure in depreciating all the ſocial virtues have repreſented pity as a mere ſelfiſh paſſion; and there are ſome circumſtances which appear to juſtify this opinion.—It is certain that the misfortunes of others affect us, not in proportion to their greatneſs, but in proportion to their nearneſs to ourſelves; or to the chances that they may reach us in our turns. A rich man is infinitely more affected at the misfortune of his neighbour, who, by the failure of a banker with whom he had truſted the greater part of his fortune,—by an unlucky run at play,—or by other loſſes, is reduced from a ſtate of affluence, to the neceſſity of laying down his carriage;—leaving the town;—and retiring into the country upon a few hundreds a-year;—than by the total ruin of the induſtrious tradeſman over the way, who is dragged to priſon, and his numerous family of young and helpleſs children left to ſtarve.

But however ſelfiſh pity may be, *benevolence* certainly ſprings from a more noble origin. It is a good-natured,

—generous

—generous ſentiment, which does not require being put to the torture in order to be ſtimulated to action.—And it is this ſentiment, not pity, or compaſſion, which I would wiſh to excite.

Pity is always attended with pain; and if our ſufferings at being witneſſes of the diſtreſſes of others, ſometimes force us to relieve them, we can neither have much merit, nor any laſting ſatisfaction, from ſuch involuntary acts of charity; but the enjoyments which reſult from acts of genuine benevolence are as laſting as they are exquiſitely delightful; and the more they are analyzed and contemplated, the more they contribute to that inward peace of mind and ſelf-approbation, which alone conſtitute real happineſs.—This is the "ſoul's calm ſun-ſhine, and the heart-felt joy," which is virtue's prize.

To induce mankind to engage in any enterpriſe, it is neceſſary, firſt, to ſhow that ſucceſs will be attended with real advantage; and ſecondly, that it may be obtained without much difficulty.—The rewards attendant upon acts of benevolence have ſo often been deſcribed and celebrated, in every country and in every language, that it would be preſumption in me to ſuppoſe I could add any thing new upon a ſubject already diſcuſſed by the

the greateſt maſters of rhetoric, and embelliſhed with all the irreſiſtible charms of eloquence; but as *examples of ſucceſs* are ſometimes more efficacious in ſtimulating mankind to action, than the moſt ſplendid reaſonings and admonitions, it is upon my *ſucceſs* in the enterpriſe of which I have undertaken to give an account, that my hopes of engaging others to follow ſuch an example are chiefly founded; and hence it is, that I ſo often return to that part of my ſubject, and inſiſt with ſo much perſeverance upon the pleaſure which this ſucceſs afforded me. I am aware that I expoſe myſelf to being ſuſpected of oſtentation, particularly by thoſe who are not able to enter fully into my ſituation and feelings; but neither this, nor any other conſideration, ſhall prevent me from treating the ſubject in ſuch a manner as may appear beſt adapted to render my labours of public utility.

Why ſhould I not mention even the marks of affectionate regard and reſpect which I received from the poor people for whoſe happineſs I intereſted myſelf, and the teſtimonies of the public eſteem with which I was honoured?—Will it be reckoned vanity, if I mention the concern which the poor of Munich expreſſed in ſo affecting a manner when I was dangerouſly ill?—that

they

they went publicly in a body in proceſſion to the cathedral church, where they had divine ſervice performed, and put up public prayers for my recovery?—that four years afterwards, on hearing that I was again dangerouſly ill at Naples, they, of their own accord, ſet apart an hour each evening, after they had finiſhed their work in the Military Workhouſe, to pray for me?

Will it be thought improper to mention the affecting reception I met with from them, at my firſt viſit to the Military Workhouſe upon my return to Munich laſt ſummer, after an abſence of fifteen months; a ſcene which drew tears from all who were preſent?—and muſt I refuſe myſelf the ſatisfaction of deſcribing the fête I gave them in return, in the Engliſh Garden, at which 1800 poor people of all ages, and above 30,000 of the inhabitants of Munich aſſiſted? and all this pleaſure I muſt forego, merely that I may not be thought vain and oſtentatious?—Be it ſo then;—but I would juſt beg leave to call the reader's attention to my feelings upon the occaſion; and then let him aſk himſelf, if any earthly reward can poſſibly be ſuppoſed greater;—any enjoyments more complete, than thoſe I received. Let him figure to himſelf, if he can, my ſituation, ſick in bed, worn out by intenſe application, and

dying, as every body thought, a martyr in the cauſe to which I had devoted myſelf;—let him imagine, I ſay, my feelings, upon hearing the confuſed noiſe of the prayers of a multitude of people, who were paſſing by in the ſtreets, upon being told, that it was the poor of Munich, many hundreds in number, who were going in proceſſion to the church to put up public prayers for me:—public prayers for me!—for a private perſon!—a ſtranger!—a proteſtant!—I believe it is the firſt inſtance of the kind that ever happened;—and I dare venture to affirm that no proof could well be ſtronger than this, that the meaſures adopted for making theſe poor people HAPPY by being INDUSTRIOUS, were really SUCCESSFUL;—and let it be remembered, THAT THIS FACT IS WHAT I AM MOST ANXIOUS TO MAKE APPEAR IN THE CLEAREST AND MOST SATISFACTORY MANNER *.

* Count Rumford.

SECT.

SECT. XXXIII.

ON QUACK MEDICINES.

Quid non mortalia pectora cogis, auri sacra fames!

EVERY physician, even of the most moderate practice, must have been often witness of the destruction occasioned by those pests of society, who have obtained patents for pretended discoveries, and use every art to delude the sick and helpless man; protected, I should be sorry to say, encouraged, by government, and enabled to make as pompous a display of his MAJESTY'S ARMS, as if they had either been generals or admirals, and had achieved some great exploit.

What reason, says the Rev. Mr. TOWNSEND, in his excellent classification of disease, can we assign then for the astonishing, and still increasing, demand for *quack medicines* and *quack books?*—Whence is it, that *quack medicines* and *quack books* are to be found, not merely among the lower classes of society, but in respectable families, and almost in every house?—Is it, that they

have a higher opinion of ſuch medicines and of ſuch books, than of the judgment, the ſkill, the extenſive experience, of men devoted to the ſcience; of men, who have been regularly taught, and who are in the daily habit of diſtinguiſhing diſeaſes?—No, certainly it is not.—But I leave this important queſtion, ſays he, to be anſwered by writers on *political œconomy*, and in the mean time anxiouſly caution the unwary of being miſled by thoſe who have obtained LETTERS PATENT.

In vain are colleges endowed, and called *royal* foundations, if this growing evil is not checked.

BACON has too well obſerved, that the length of diſeaſes, the ſweets of life, the illuſive flattery of hope, and the recommendations of the patient's officious friends, are ſufficient reaſons for the vileſt and moſt ignorant quacks being often preferred to the beſt phyſicians.—An ignorant fellow always gives more hopes than a man of learning.

FRIEND, who at a very early time of life acquired the reputation of a great phyſician and a fine writer, adopted the ſame reaſoning and met with the moſt unjuſt fate.—The reader will ſee what is ſaid on this ſubject, by this phyſician (who was ſo deſpiſed by *empirics* and the *vulgar*, and ſo much cheriſhed by all re-

ſpectable people) in his letter to his friend MEAD.—
" The eſteem," ſays he, " in which ignorance is held,
" is the reaſon why men of true genius, who might
" have diſtinguiſhed themſelves in phyſic, have ſought
" for reputation, by attaching themſelves to other
" ſciences; and in theſe they have often excelled thoſe
" who ſeemed to be particularly deſtined by nature to
" this cultivation.—In good truth, they who look up
" only at glory and reputation, have ſurely good reaſon
" for abandoning an art, in which the prejudices of the
" vulgar give as much to mediocrity as to the rareſt
" and moſt accompliſhed merit, and the practice of
" which is diſtinguiſhed by the public, only in propor-
" tion to the *boaſtings* of the practitioner."

The *quack* has a conſiderable advantage over the regular practitioners.—If any one of his promiſes become realized, he is applauded to the ſkies; and if the patient finds himſelf deceived, he is obliged in honour to be ſilent, that he may not expoſe himſelf to blame, for having confided himſelf to a *wretch*, who gains much by deceit, as the number of ſimple people is always the greateſt.—Beſides, this daring man riſks no loſs of reputation; becauſe, as it exiſts only amongſt ignorant people, the blame will always incline towards thoſe who

have

have listened to him.—Men are so fond of the marvellous, that the *quack* has, above all others, the power of making the vulgar relish novelty.—The more absurd his promises are, the more he is attended to.—He applies a popular name to a medicine he has just gathered at the entrance of the village, and then giving the detail of his miracles, this medicine is adopted as the cure of every infirmity.

BUT IS IT NOT STRANGE, THAT THE STATE SHOULD SUFFER THIS DESTRUCTIVE BREED; FOR SURELY THE PEOPLE, BLIND AND IGNORANT AS THEY ARE, OUGHT NOT TO BE ABANDONED TO THE PREY OF THESE IMPUDENT AND DANGEROUS MEN.—IF SOCIETY CLAIMS A RIGHT TO OPPOSE THE DESIGNS OF ANY INDIVIDUAL, WHO WISHES TO RENDER ANOTHER UNHAPPY, WHY SHOULD NOT SHE PRESERVE THE SAME PRIVILEGE, WHEN THE SAFETY OF A GREATER NUMBER OF HER MEMBERS BECOMES CONCERNED?—IF SOCIETY HAS SUCH A RIGHT, SHE IS SURELY BLAMEABLE FOR NOT EXERCISING IT.—THE SOVEREIGN WILL ALWAYS BE DISPOSED TO INCLINE A FAVOURABLE EAR TO REPRESENTATIONS WHICH MAY BE MADE TO HIM ON THIS SUBJECT.—THE COLLEGES OF

PHYSIC

PHYSIC OUGHT TO UNITE IN THE REFORMATION OF THESE ABUSES, BY REPRESENTING THEM TO THE LEGISLATURES.

The life of a negro slave is valued at an hundred pounds, and if we calculate the deaths occasioned by quack medicines, there is no difficulty to calculate the vast loss to the community by these *legal murderers* *;—I should give them too fair a title to call them only *purse-takers*.

THIS IMMENSE EVIL OUGHT THEN IMMEDIATELY TO BE CHECKED BY A PATERNAL LEGISLATURE, AND REWARDS GIVEN FOR ANY NOBLE DISCOVERIES IN MEDICINE; JUST AS AN ADEQUATE RECOMPENCE FROM PARLIAMENT WAS FORMERLY BESTOWED UPON MRS. STEVENS FOR HER SOLVENT, AND HAS BEEN GIVEN TO SOME OTHERS, WHERE PROPER APPLICATION HAS BEEN MADE, FOR EMINENT DISCOVERIES.

* The small annual sum these *wretches* pay for their INDULGENCES surely can be no compensation to the loss sustained by the destruction of the lives of such a number of the community.—Besides it has been before argued that *get money* is no excuse for *mal-administration* in any government: even the impudence of quackery can have no answer, when the last paragraph of this section is attentively considered.

SECT.

SECT. XXXIV.

ON JUSTICE ADMINISTERED TO THE POOR.

THE *ſtreams of juſtice*, which, like the vital blood, ought to flow through every part, carrying with them comfort and refreſhment, alas! are obſtructed.—The diſeaſe in this country has increaſed to a moſt alarming degree, and has made ſome even doubt, whether a ſtate of nature, where each man redreſſes his own wrong, is not preferable, to the midling claſs, to ſuch a dreadful condition of civilized ſociety.—My blood runs cold in my veins while I think of the expence and delay of law; and that any free-born Briton ſhould be ſituated, like hungry TANTALUS, with the food he longs for above his head, but unable to reach it*.—According to the prevailing

* The author of this work is convinced, that the preſent virtuous legiſlators of this country will ſoon remedy this evil: for never was there an age where the middling and lower claſſes were more conſidered, and wiſer meaſures adopted.—The preſent evils complained of have grown out of time, and to find fault with them in any other way than to have them rectified, is like quarrelling with the ſun for a few ſpots, or wiſhing to pull down St. Paul's, becauſe a few cobwebs are attached to its windows.—The ſame may be ſaid of every other ſection in this work; the ſuperſtructure of our government is grand and noble, and the prying architect can only obſerve ſome few defects in the out pillars.

ſyſtem

ſyſtem of things in this country, ſays a learned magiſtrate*, if a perſon owes only 40*s.* an action for it may be brought, which if conteſted or defended, the expence, at the loweſt computation, muſt be upwards of *fifty pounds!* Prudent men, under ſuch circumſtances, will forego a juſt claim upon another, or make up a falſe one upon themſelves, as by far the leaſt of two evils, in all caſes where they come in contact with deſigning and bad people; and hence it is, that the worthleſs part of mankind, availing themſelves in civil, as others do in criminal caſes, of the imperfections of the law, forge theſe defects into a rod of oppreſſion, either to defraud the honeſt part of the community of a juſt right, or to create fraudulent demands, where no right attaches; merely becauſe thoſe miſcreants know that an *action at law*, even for 40*s.* cannot either be proſecuted or defended, without ſinking three times the amount in law expences, beſides the loſs of time, which is ſtill more valuable to men in buſineſs.

To convince the reader that this obſervation is not hazarded on weak grounds, and that the evil is ſo great as to cry aloud for a remedy, it is only neceſſary to ſtate,

* Colquhoun.

that in the County of Middlesex alone, in the year 1793, the number of bailable writs and executions, for debts from ten to twenty pounds, amounted to no less than 5719!

It will scarcely be credited, says Colquhoun, although it is most unquestionably true, that the mere costs of these actions, although made up, and not defended at all, amount to 68,728*l.*—And if defended, the aggregate expence to recover 81,791*l.* must be—*(strange and incredible as it may appear)* no less than 285,950*l.*! being considerably more than three times the amount of the debts sued for!

THE MIND IS LOST IN ASTONISHMENT AT THE CONTEMPLATION OF A CIRCUMSTANCE, MARKING, IN SO STRONG A DEGREE, THE DEFICIENCY OF THIS IMPORTANT BRANCH OF THE JURISPRUDENCE OF OUR COUNTRY.

SECT.

SECT. XXXV.

OF SLAVERY.

THE property which ſome men have acquired over others in Guinea, is of very high antiquity.—It is generally eſtabliſhed there, excepting in ſome ſmall diſtricts, where liberty hath, as it were, retired and is ſtill maintained. No proprietor, however, has a right to ſell a man who is born in a ſtate of ſervitude. He can only diſpoſe of thoſe ſlaves whom he gets, whether by *war*, in which every priſoner is a ſlave unleſs exchanged, or *in lieu of compenſation for ſome injury*; or if he hath received them as a *teſtimony of acknowledgment*. This law, which ſeems to be made in favour of one who is born a ſlave, to indulge him with the enjoyment of his family and of his country, is yet ineffectual, ſince the Europeans have eſtabliſhed luxury on the coaſts of Africa. It is every day eluded by *concerted quarrels*, which two proprietors mutually diſſemble, in order to be reciprocally condemned, each in his turn, to a fine,

which is paid in perſons born ſlaves, the diſpoſal of whom is allowed by the ſanction of the ſame law.

Corruption, contrary to its ordinary progreſs, hath advanced from private perſons to *princes*. The procuring of ſlaves hath given frequent occaſion to *wars*. —INJUSTICE hath known no bounds or reſtraints.— At a great diſtance from the coaſt, there are chiefs, who give orders for every thing they meet with in the villages around them to be carried off.—The children are thrown into ſacks: the men and women are gagged to ſtifle their cries. If the ravagers are ſtopped by a ſuperior force, they are conducted before the prince, who always diſowns the commiſſion he has given, and under pretence of doing juſtice, inſtantly ſells his agents to the ſhips he has treated with.

Notwithſtanding theſe infamous arts, the people of the coaſt have found it impoſſible to ſupply the demands of the merchants. They have experienced what every nation muſt, that can trade only with its nominal ſtock.—Slaves are to the commerce of Europeans in Africa, what gold is in the commerce we carry on in the New world.—The heads of negroes repreſent the ſtock of the ſtate of Guinea.—Every day this

ſtock

ſtock is carried off, and nothing is left them but articles of conſumption.—Their capital gradually vaniſhes, becauſe it cannot be renewed, by reaſon of the ſpeedy conſumptions.

In 1768, there were exported out of Africa, 104,100 ſlaves.—The Engliſh bought up 53,100 of them for their highlands; their coloniſts on the north continent 6,300; the French 23,500; the Dutch 11,300; the Portugueſe 8,700; and the Danes 1,200.—All theſe unhappy men did not arrive at the place of their deſtination.—In the ordinary courſe of things, the eighth part at leaſt muſt have periſhed in their paſſage.

In July 1783, the ſlave-ſhip, in which he was, arrived at Cape *La How*, on the Gold Coaſt of *Africa*. In the ſpace of a week above *one hundred* prime ſlaves, *young*, *ſtout*, and *healthy*, were purchaſed. The competition, however, of the purchaſers at *Annamaboe*, whither this ſhip afterwards ſailed, ran ſo high, that the captain could not obtain more than two thirds of the uſual complement. The ſlaves were confined below ſixteen hours out of twenty-four, and permitted no exerciſe when upon deck. The rooms, where they were ſecured, are from five to ſix feet in height. Theſe rooms

are

are imperfectly aired by gratings above, and ſmall ſcuttles in the ſide of the ſhip, which of courſe can be of little uſe at ſea. The gratings are alſo half covered, when it blows hard, to keep out the ſalt ſpray. The temperature of theſe rooms was often above 96 of Fahrenheit's ſcale. In the evidence, of which this is an abſtract, Dr. TROTTER affirms, he could never breathe there, unleſs under the hatchways. In ſuch circumſtances the ſufferings of theſe poor creatures muſt have been dreadful. *I have often*, ſays Dr. TROTTER, *obſerved the ſlaves drawing their breath with all the laborious and anxious efforts for life, which are obſerved in expiring animals, ſubjected by experiment to foul air, or in the exhauſted receiver of an air-pump. I have often ſeen them, when the tarpawlings have been inadvertently thrown over the gratings, attempting to heave them up, crying out in their own language,* "We are ſuffocated." *Many have I ſeen dead, who the night before have ſhewn no ſigns of the ſmalleſt indiſpoſition; ſome alſo in a dying ſtate, and if not brought up quickly upon the deck, irrecoverably loſt.*

Hence, before the arrival of this veſſel at ANTIGUA, out of 650 ſlaves more than 50 had *died*, and about 300 were tainted with the SEA SCURVY.

Dr. TROTTER declares, in his evidence before a ſe-

lect

lect committee of the House of Commons, that the natives of these parts are *sometimes* slaves from *crimes*, but the greater part of the slaves are, *what are called prisoners of war*. Of his whole cargo he recollects only *three criminals*; two sold for *adultery*, and one for *witchcraft*, whose *whole family shared his fate*. One of the first said he had been decoyed by a woman who had told her husband, and he was sentenced to *pay a slave*; but being *poor*, was *sold himself*. The last said he had had a quarrel with a *caboseer* (or great man), who *in revenge* accused him of *witchcraft*, and sold *him* and *his family for slaves*.

Dr. Trotter having often asked Accra, a principal trader at La How, what he meant by *prisoners of war*, found they were such as were carried off by a set of *trepanners and kidnappers, who ravage the country for that purpose*. The bush-men making war, *to make trade* (that is, *to make slaves)*, was a common way of speaking among the traders. Having asked, What they did with their slaves when the nations, who traded for slaves with them, were at war with each other? was answered, That when ships ceased to come, *slaves ceased to be taken*. The practice was also confirmed by the slaves on board,

who ſhewed by geſtures how the *robbers* had come upon them.

He once ſaw a black trader ſend his canoe to take *three fiſhermen* employed in the offing, who were immediately brought on board, and put in irons, and about a week afterwards he was paid for them. He remembers another man taken in the ſame way from on board a canoe along-ſide. The ſame trader very frequently ſent ſlaves on board in *the night*, which, from their own information, he found, were *every one of them* taken in the neighbourhood of *Annamaboe*. He remarked, that ſlaves ſent off in the *night*, were not paid for till they had been ſome time on board, leſt, he thinks, they ſhould be *claimed*; for *ſome were really reſtored*, one in particular, a boy, was demanded and carried off on ſhore by ſome near relations, which boy told him, he had lived in the neighbourhood of *Annamaboe*, and was *kidnapped*.

SECT.

SECT. XXXVI.

THE WRETCHED CONDITION OF SLAVES.

In America it is generally believed and aſſerted, that the Africans are equally incapable of reaſon and of virtue.—The following well-authenticated fact will enable us to judge of this opinion.

An Engliſh ſhip that traded in Guinea in 1752, was obliged to leave the ſurgeon behind, whoſe bad ſtate of health did not permit him to continue at ſea.—Murray, for that was his name, was there endeavouring to recover his health, when a Dutch veſſel drew near the coaſt, put the blacks in irons, whom curioſity had brought to the ſhore, and inſtantly ſailed off with their booty.

Thoſe who intereſted themſelves for theſe unhappy people, incenſed at ſo baſe a treachery, inſtantly ran to Cudjoe, who ſtopped them at his door, and aſked them what they were in ſearch of.—*The white man, who is with you*, replied they, *who ſhould be put to death, be-*

cauſe his brethren have carried off ours.—The Europeans, anſwered the generous hoſt, *who have carried off our countrymen, are barbarians; kill them whenever you can find them.—But he who lodges with me is a good man, he is my friend; my houſe is his fortreſs; I am his ſoldier, and I will defend him.—Before you can get at him, you ſhall paſs over my body.—O my friends, what juſt man would ever enter my doors, if I had ſuffered my habitation to be ſtained with the blood of an innocent man?*—This diſcourſe appeaſed the rage of the blacks: they retired aſhamed of the deſign that had brought them there; and ſome days after acknowledged to MURRAY himſelf, how happy they were that they had not committed a crime, which would have occaſioned them a perpetual remorſe.

This event renders it probable, that the firſt impreſſions which the Africans receive in the New world, determine them either to good or bad actions.—Repeated experience confirms the truth of this obſervation: thoſe who fall to the ſhare of a humane maſter, willingly eſpouſe his intereſts.—They inſenſibly adopt the ſpirit and manners of the place where they are fixed.—This attachment is ſometimes exalted even into heroiſm.—*A Portugueſe ſlave who had fled into the woods, having*

learnt

learnt that his old maſter had been taken up for an aſſaſſination, came into the court of juſtice, and acknowledged himſelf guilty of the fact; let himſelf be put into priſon in lieu of his maſter; brought falſe, though judicial, proofs of his pretended crime, and ſuffered death inſtead of the guilty perſon.—Actions of a leſs heroical nature, though not uncommon, have touched the hearts of ſome coloniſts.

But there are barbarians, who conſidering pity as a weakneſs, delight in making their dependents perpetually ſenſible of their *tyranny*.—They juſtly, however, receive their puniſhment in the negligence, infidelity, deſertion, and ſuicide of the deplorable victims of their inſatiable avarice.—Some of theſe unfortunate men, eſpecially thoſe of Mina, courageouſly put an end to their lives, under the firm perſuaſion, that they would immediately after death riſe again in their own country, which they look upon as the fineſt in the world.—A vindictive ſpirit furniſhes others with reſources ſtill more fatal.—Inſtructed from their infancy in the arts of poiſons, which grow, as it were, under their hands, they employ them in the deſtruction of the cattle, the horſes, the mules, the companions of their ſlavery, and of every living thing employed in the cultivation of the lands of their oppreſſors.—In order to remove from themſelves

all ſuſpicion, they firſt exerciſe their cruelties on their wives, their children, their miſtreſſes, and on every thing that is deareſt to them.—In this dreadful project, which can only be the reſult of deſpair, they take the double pleaſure of delivering their ſpecies from a yoke more dreadful than death, and of leaving their tyrant in a wretched ſtate of miſery, that is an image of their own condition.—The fear of puniſhment does not check them.—They are ſcarce ever known to have any kind of foreſight; and they are, moreover, certain of concealing their crimes, being proof againſt tortures.—By means of one of thoſe inexplicable contradictions of the human heart, though common to all people, whether civilized or not, negroes, though naturally cowards, give many inſtances of an unſhaken firmneſs of ſoul.—The ſame organization which ſubjects them to ſervitude, from the indolence of their mind, and the relaxation of their fibres, inſpires them with vigour and unparalleled reſolution for extraordinary actions.—They are cowards all their life-time and heroes only for an inſtant.—One of theſe miſerable men has been known to cut his wriſt off with the ſtroke of a hatchet, rather than purchaſe his liberty, by ſubmitting to the vile office of an executioner.

Nothing,

Nothing, however, is more miſerable than the condition of a black, throughout the whole American Archipelago.—A narrow, unwholeſome hut, without any conveniences, ſerves him for a dwelling.—His bed is a hurdle, fitter to put the body to torture than to afford it any eaſe.—Some earthen pots, and a few wooden diſhes are his furniture.—The coarſe linen which covers part of his body, neither ſecures him from the inſupportable heats of the day, nor the dangerous dews of the night.—The food he is ſupplied with, is caſſava, ſalt beef, cod, fruits and roots, which are ſcarce able to ſupport his miſerable exiſtence.—Deprived of every enjoyment, he is condemned to a perpetual drudgery in a burning climate, conſtantly under the rod of an unfeeling maſter.

The condition of theſe ſlaves, though every where deplorable, is ſomething different in the colonies.—Thoſe who have very extenſive eſtates, generally give them a portion of land, to ſupply them with the neceſſaries of life.—They are allowed to employ a part of the Sunday in cultivating it, and the few moments that on other days they ſpare from the time allotted for their meals.—In the ſmaller iſlands, the coloniſt himſelf furniſhes their food, the greateſt part of which hath been imported

by ſea from other countries.—Ignorance, avarice, or poverty, have introduced into ſome colonies, a method of providing for the ſubſiſtence of negroes, equally deſtructive both to the men and the plantation.—They are allowed on Saturday, or ſome other day, to work in the neighbouring plantations, or to plunder them, in order to procure a maintenance for the reſt of the week.

Beſides theſe differences ariſing from the particular ſituation of the ſettlements in the American iſlands, each European nation hath a manner of treating ſlaves peculiar to itſelf.—The Spaniards make them the companions of their indolence; the Portugueſe, the inſtruments of their debauch; the Dutch, the victims of their avarice; the Engliſh, who eaſily derive their ſubſiſtence from their eſtates on the northern continent, are leſs attentive to the management of them than any other nations.—If they never promote inter-marriages among the blacks, they yet receive with kindneſs, as the gifts of nature, thoſe children that are the produce of leſs reſtrained connexions, and ſeldom exact from the fathers or mothers a toil or a tribute above their ſtrength.—Slaves by them, are conſidered merely as *natural productions*, which ought neither to be *uſed*, nor *deſtroyed without*

without neceſſity; but they never treat them with familiarity: they never ſmile upon them, nor *ſpeak* to them. One would think they were afraid of letting them ſuſpect, that nature could have given any one mark of reſemblance betwixt them and their ſlaves.—This makes them hate the *Engliſh*.—The French, leſs haughty, leſs diſdainful, conſider the Africans as a ſpecies of moral beings; and theſe unhappy men, ſenſible of the honour of ſeeing themſelves almoſt treated like rational creatures, ſeem to forget that their maſter is impatient of making his fortune, that he always exacts labours from them above their ſtrength, and frequently lets them want ſubſiſtence.

SECT.

SECT. XXXVII.

IN WHAT MANNER THE CONDITION OF SLAVES MIGHT BE RENDERED MORE SUPPORTABLE.

If the vice of ſlavery muſt exiſt, the method of ameliorating its condition would be to attend to the natural and moral ſtate of man.—Thoſe who purchaſe blacks on the coaſts of ſavage nations; thoſe who convey them to America, and eſpecially thoſe who direct their labours, often think themſelves obliged, from their ſituation, and frequently too for the ſake of their own ſafety, to *oppreſs* theſe wretched men.—The ſoul of theſe managers of ſlaves, loſt to all ſenſe of compaſſion, is ignorant of every motive to enforce obedience, but thoſe of *fear* or *ſeverity*, and theſe they exerciſe with all the harſhneſs of a temporary authority.—If the proprietors of plantations would ceaſe to regard the care of their ſlaves, as an occupation below them, and conſider it as an office to which it is their duty to attend, they would ſoon diſcard theſe errors that ariſe from a ſpirit of cruelty.—

The

The hiſtory of all mankind would ſhew them, that, in order to render ſlavery uſeful, it is, at leaſt, neceſſary to make it eaſy; that force does not prevent the rebellion of the mind; that it is the maſter's intereſt that the ſlave ſhould be attached to life, and that nothing is to be expected from him the moment that he no longer fears to die.

This principle of enlightened reaſon, derived from the ſentiments of humanity, would contribute to the reformation of *ſeveral abuſes*. Men would acknowledge the neceſſity of lodging, clothing, and giving proper food to beings condemned to the moſt painful bondage that ever has exiſted ſince the infamous origin of ſlavery. They would be ſenſible that it is naturally impoſſible that thoſe who reap no advantage from their own labours, can have the ſame underſtanding, the ſame œconomy, the ſame activity, the ſame ſtrength, as the man who enjoys the produce of his induſtry.—That political moderation would gradually take place, which conſiſts in leſſening of labour, alleviating puniſhment, and rendering to man part of his rights, in order to reap with greater certainty the benefit of thoſe duties that are impoſed upon him.—The preſervation of a great number of ſlaves, whom diſorders occaſioned by

vexation or regret deprive the colonies of, would be the natural conſequence of ſo wiſe a regulation.—Far from aggravating the yoke that oppreſſes them, every kind of attention ſhould be given to make it eaſy, and to diſſipate even the idea of it, by favouring a natural taſte that ſeems peculiar to the negroes.

Their organs are extremely ſenſible of the powers of *muſic*.—Their ear is ſo true, that in their dances, the time of a ſong makes them ſpring up a hundred at once, ſtriking the earth at the ſame inſtant.—Enchanted, as it were, with the voice of a ſinger, or the tone of a ſtringed inſtrument, a vibration of the air is the ſpirit that actuates all the bodies of theſe men: a ſound agitates, tranſports, and throws them into ecſtaſies.—In their common labours, the motion of their arms, or of their feet, is always in cadence.—At all their employments they ſing, and ſeem always as if they were dancing.—Muſic animates their courage, and rouſes them from their indolence. The marks of this extreme ſenſibility to harmony are viſible in all the muſcles of their bodies, which are always naked.—Poets and muſicians by nature, they make the words ſubſervient to the muſic, by a licence they arbitrarily aſſume of lengthening or ſhortening them, in order to accommodate them to an

air

air that pleaſes them.—Whenever any object or incident ſtrikes a negro, he inſtantly makes it the ſubject of a ſong.—In all ages this has been the origin of poetry.—Three or four words, which are alternately repeated by the ſinger and the general chorus, ſometimes conſtitute the whole poem.—Five or ſix bars of muſic compoſe the whole length of the ſong.—A circumſtance that appears ſingular, is, that the ſame air, though merely a continual repetition of the ſame tones, takes entire poſſeſſion of them, makes them work or dance for ſeveral hours: neither they, nor even the white men, are diſguſted with that tedious uniformity which theſe repetitions might naturally occaſion.—This particular attachment is owing to the warmth and expreſſion which they introduce into their ſongs.—Their airs are generally double time.—None of them tend to inſpire them with pride.—Thoſe intended to excite tenderneſs, promote rather a kind of languor.—Even thoſe which are moſt lively, carry in them a certain expreſſion of melancholy.—This is the higheſt entertainment to minds of great ſenſibility.

So ſtrong an inclination for muſic might become a powerful motive of action under the direction of ſkilful hands.—Feſtivals, games, and rewards, might on this ac-

count be eſtabliſhed among them.—Theſe amuſements, conducted with judgment, would prevent that ſtupidity ſo common among ſlaves, eaſe their labours, and preſerve them from that conſtant melancholy which conſumes them, and ſhortens their days.

After having provided for the preſervation of the blacks exported from Africa, the welfare of thoſe who are born in the iſlands themſelves would then be conſidered.—The negroes are not averſe from the propagation of their ſpecies even in the chains of ſlavery.—But it is the cruelty of the maſters which hath effectually prevented them from complying with this great end of nature. Such hard labour is required from negro women, both before and after their pregnancy, that their children are either abortive, or live but a ſhort time after delivery.—Mothers, rendered deſperate by the puniſhments which the weakneſs of their condition occaſions them, ſnatch ſometimes their children from the cradle, in order to ſtrangle them in their arms, and ſacrifice them with a fury mingled with a ſpirit of revenge and compaſſion, that they may not become the property of their cruel maſters. This barbarity, the horror of which muſt be wholly imputed to the Europeans, will, perhaps, convince them of their error.

Their

Their ſenſibility will be roufed, and engage them to pay a greater attention to their true intereſts. They will find that by committing ſuch outrages againſt humanity, they injure themſelves; and if they do not become the benefactors of their ſlaves, they will at leaſt ceaſe to be their executioners.

They will, perhaps, reſolve to ſet free thoſe mothers who ſhall have brought up a conſiderable number of children to the age of ſix years. The allurements of liberty are the moſt powerful that can influence the human heart. The negro women, animated by the hope of ſo great a bleſſing, to which all would aſpire, and few would be able to obtain, would make neglect and infamy be ſucceeded by a virtuous emulation to bring up children, whoſe number and preſervation would ſecure to them freedom and tranquillity.

After having taken wiſe meaſures not to deprive their plantations of thoſe ſuccours ariſing from the extraordinary fruitfulneſs of the negro women; they will attend to the care of conducting and extending cultivation by means of population, and without foreign expedients. Every thing invites them to eſtabliſh this eaſy and natural ſyſtem.

There are ſome powers, whoſe ſettlements in the

American isles every day acquire extent, and there are none whose manual labour does not continually increase. These lands, therefore, constantly require a greater number of hands to clear them. Africa, where all Europeans go to recruit the population of the colonies, gradually furnishes them with fewer men, and supplies them at the same time with worse slaves and at a higher price.—This source for the obtaining slaves will be gradually more and more exhausted.—But were this change in trade as chimerical, as it seems to be not far distant, it is nevertheless certain that a great number of slaves, drawn out of a remote region, perish in their passage, or in the New world; and that when they come to America they are sold at a very advanced price; that there are few of them whose natural term of life is not shortened; and that the greater part of those who attain a wretched old age, are extremely ignorant, and being accustomed from their infancy to idleness, are frequently very unfit for the employments to which they are destined, and are in a continual state of *despondency*, on account of their being separated from their country. If we are not mistaken in our opinion, cultivators born in the American islands themselves, always breathing their native air, brought up without any other expence than

than what consists in a cheap food, habituated in early life to labour by their own parents, endowed with a sufficient share of understanding, or a singular aptitude for all the useful arts; such cultivators cannot but be preferable to slaves that have been sold and live in a perpetual exile and restraint.

The method of substituting in the place of *foreign negroes* those of the *colonies themselves*, is very obvious. It wholly consists in superintending the black children that are born in the islands, in confining to their workhouses that multitude of slaves who carry about with them their worthlessness, their licentiousness, and the luxury and insolence of their masters, in all the towns and ports of Europe; but, above all, in requiring of navigators who frequent the African coasts, that they should form their cargo of an equal number of men and women, or even of a majority of women, during some years, in order to reduce that disproportion which obtains betwixt the two sexes.

This last precaution, by putting the pleasures of love within the reach of all the blacks, would contribute to their ease and multiplication. These unhappy men, forgetting the weight of their chains, would with transport see themselves live again in their children. The

majority

majority of them are faithful, even to death, to those negro women whom love and slavery have assigned to them for their companions; they treat them with that compassion which the wretched mutually derive from one another even in the rigour of their condition; they comfort them under the load of their employments; they sympathize, at least, with them, when, through excess of labour, or want of food, the mother can only offer her child a breast that is dry, or bathed in her tears. The women, on their part, though tied down to no restrictions of chastity, are fixed in their attachments; provided that the vanity of being beloved by white people does not render them inconstant. Unhappily this is a temptation to infidelity, to which they have too often opportunities to yield.

Those who have inquired into the causes of this taste for black women, which appears to be so depraved in the Europeans, have found it to arise from the nature of the climate, which under the torrid zone irresistibly excites men to the pleasures of love; the facility of gratifying this insurmountable inclination without restraint, and without the trouble of a long pursuit; from a certain captivating attraction of beauty, discoverable in black women, as soon as custom hath once reconciled the eye

to

to their colour; but principally from a warmth of conſtitution, which gives them the power of inſpiring and returning the moſt ardent tranſports. Thus they revenge themſelves, as it were, for the humiliating deſpondence of their condition, by the violent and immoderate paſſions which they excite in their maſters; nor do our ladies, in Europe, poſſeſs in a more exalted degree the art of waſting and running out large fortunes than the negro women. But thoſe of Africa have the ſuperiority over thoſe of Europe, in the real paſſion they have for the men who purchaſe them. The happy diſcovery and prevention of conſpiracies that would have deſtroyed all their oppreſſors by the hands of their ſlaves, hath been often owing to the faithful attachment of theſe negro women. The double tyranny of theſe unworthy uſurpers of the eſtates and liberty of ſuch a number of people, deſerved, doubtleſs, ſuch a puniſhment.

SECT. XXXVIII.

SLAVERY IS ENTIRELY REPUGNANT TO HUMANITY, REASON, AND JUSTICE.

WE will not here ſo far debaſe ourſelves as to enlarge the ignominious liſt of thoſe writers who devote their abilities to juſtify by *policy* what *morality condemns*.—In an age where ſo many *errors* are boldly laid open, it would be unpardonable to conceal any *truth* that is intereſting to humanity.—If whatever we have hitherto advanced hath ſeemingly tended only to alleviate the burden of ſlavery, the reaſon is, that it was firſt neceſſary to give ſome comfort to thoſe unhappy beings whom we cannot ſet free; and convince their oppreſſors that *they are cruel to the prejudice of their real intereſts*. But, in the mean time, until ſome conſiderable revolution ſhall make the evidence of this great truth felt, it may not be improper to purſue this object further.—We ſhall then firſt prove, that there is no reaſon of ſtate that can *authoriſe* ſlavery.—We ſhall not

not be afraid to cite to the tribunal of reaſon and juſtice thoſe governments which tolerate this cruelty, or which even are not aſhamed to make it the baſis of their influence.

MONTESQUIEU could not prevail on himſelf to treat the queſtion concerning ſlavery in a ſerious light.—In reality it is degrading reaſon to employ it, I will not ſay in defending, but in refuting an abuſe ſo repugnant to it.—Whoever juſtifies ſo odious a ſyſtem, deſerves the utmoſt contempt from a philoſopher, and from the negro a ſtab with his dagger.

If you touch me, ſaid CLARISSA to LOVELACE, that moment I kill myſelf; I would ſay to him, who attempted to deprive me of my liberty, If you approach me, I will ſtab you.—In this caſe, I ſhould reaſon better than CLARISSA; becauſe, defending my liberty, or, which is the ſame thing, my life, for life cannot be enjoyed without it, is my primary duty; to regard that of another, is only a ſecondary conſideration; and if all other circumſtances were the ſame, the death of a criminal is more conformable to juſtice than that of an innocent perſon.

Will it be ſaid, that he who wants to make me a ſlave does me no injury, but that he only makes uſe of

his rights?—*Where are thoſe rights?—Who hath ſtamped upon them ſo ſacred a character as to ſilence mine?*—From NATURE I hold the right of ſelf-defence; NATURE, therefore, has not given to another the right of attacking me.—If thou thinkeſt thyſelf authoriſed to oppreſs me, becauſe thou art ſtronger and more ingenious than I am; do not complain if my vigorous arm ſhall plunge a dagger into thy breaſt; do not complain, when in thy tortured entrails thou ſhalt feel the pangs of death conveyed by poiſon into thy food: I am ſtronger and more ingenious than thou: fall a victim, therefore, in thy turn; and expiate the crime of having been an *oppreſſor*.

He who ſupports the ſyſtem of ſlavery is the enemy of the whole human race.—He divides it into two ſocieties of legal aſſaſſins; the oppreſſors and the oppreſſed.—It is the ſame thing as proclaiming to the world, if you would preſerve your life, inſtantly take away mine, for I want to have yours.

But the right of ſlavery, you ſay, extends only to the *right* of *labour* and the *privation* of *liberty*, not of *life*.—What! does not the maſter, who diſpoſes of my ſtrength at his pleaſure, likewiſe diſpoſe of my life, which depends on the voluntary and proper uſe of my faculties?—What is exiſtence to him, who has not the

diſpoſal

diſpoſal of it?—I CANNOT KILL MY SLAVE; *but I can make him bleed under the whip of an executioner, I can overwhelm him with ſorrows, drudgery and want; I can injure him every way, and ſecretly undermine the principles and ſprings of his life; I can ſmother, by ſlow puniſhments, the wretched infant which a negro woman carries in her womb.*—Thus the law protects the ſlave againſt a violent death, only to leave to my cruelty the right of making him die *by inches.*

Let us proceed a ſtep further: the right of ſlavery is that of perpetrating all ſorts of crimes: thoſe crimes which invade property; for ſlaves are not ſuffered to have any even in their own perſons: thoſe crimes which deſtroy perſonal ſafety: for the ſlaves may be ſacrificed to the caprice of his maſter: thoſe crimes which make modeſty ſhudder.—My blood riſes at theſe horrid images.—I deteſt, I abhor ſuch beings, victims and executioners;—and can *our laws* ſanction ſuch crimes?

Ye bands of Senators, whoſe ſuffrage ſways
Britannia's realms, whom either Ind obeys,
Who right the injured, and reward the brave,
Stretch your ſtrong arm, for ye have power to ſave.
Thron'd in the vaulted heart, his dread reſort,
Inexorable conſcience holds his court,
With ſtill ſmall voice the plot of guilt alarms,
Bares his marked brow, his liſted hand diſarms;

But,

But, wrapt in night, with terrors all his own,
He speaks in thunder, when the deed is done,
Hear him, ye Senators! this truth divine,
HE WHO ALLOWS OPPRESSION, SHARES THE CRIME.
DARWIN.

Further, that I may disclose without reserve my sentiments on this subject—CARTOUCHE, the highwayman, sitting at the foot of a tree in a deep forest, calculating the profit and losses of his robberies, the rewards and pay of his associates, and adjusting with them the ideas of proportion and distributive justice; this CARTOUCHE is not a very different character from that of the master of the slave-ship, who reclined on his counter, with his pen in his hand, settles the number of attacks which he can order to be made on the coasts of Guinea; who deliberately examines how many firelocks each negro will cost him, in order to support the war which is to furnish him with slaves; how many iron fetters to confine him aboard, how many whips to make him work; how much each drop of blood will be worth to him with which each negro will water his plantation; if the black women will contribute more to his estate by the labours of her hands, or by those of bearing children.—What think you of this parallel?—The *highwayman* attacks you and takes your money; the *trader* carries off even

your perſon.—The *one* invades the rights of ſociety, the *other*, thoſe of nature.—This certainly is the truth; and if there exiſted a legiſlature which authoriſed, which tolerated, even by its ſilence, ſuch enormities; if, moreover, occupied by idle or factious queſtions, it did not eternally denounce vengeance againſt the authors or inſtruments of this tyranny; if it made it criminal for a ſlave to break his bonds; if it did not expel the unjuſt judge who condemns the fugitive to death; if ſuch a ſtate exiſted, its miniſters deſerve * * * * * * * * * * * * * * *.

But theſe negroes, ſay they, are a race of men born for ſlavery; their diſpoſitions are narrow, treacherous, and wicked; they themſelves allow the ſuperiority of our underſtandings, and almoſt acknowledge the juſtice of our authority.

The minds of the negroes are contracted; becauſe ſlavery deſtroys all the ſprings of the ſoul.—They are wicked; but not ſufficiently ſo with you.—They are treacherous, becauſe they are under no obligation to ſpeak truth to their tyrants.—They acknowledge the ſuperiority of their underſtandings; becauſe we have abuſed their weakneſs.—I might as well ſay, that the Indians are a ſpecies of men born to be cruſhed to death;

death; becauſe there are fanatics among them, who throw themſelves under the wheels of their idol's car before the temple of Jaguernat.

But theſe negroes, it is further urged, were born ſlaves.—Barbarians, will you perſuade me, that a man can be the property of a ſovereign, a ſon the property of a father, a wife the property of her huſband, a domeſtic the property of a maſter, a negro the property of a planter?

But theſe ſlaves have ſold themſelves.—Could a man ever by compact, or by an oath, permit another to uſe and abuſe him?—If he aſſented to this compact, or confirmed it by an oath, it was in a tranſport of ignorance or folly; and he is releaſed from it, the moment that he either knows himſelf, or his reaſon returns.

But they had been taken in war.—What does this ſignify to you?—Suffer the conqueror to make what ill uſe he pleaſes of his own victory.—Why do you make yourſelves his accomplices.

But they were criminals condemned in their country to ſlavery.—Who was it that condemned them?—Do you not know, that in a deſpotic ſtate there is no criminal but the tyrant.

Dr.

LET US, THEREFORE, ENDEAVOUR TO MAKE THE LIGHT OF REASON AND THE SENTIMENTS OF NATURE TAKE PLACE OF THE BLIND FEROCITY OF OUR ANCESTORS.—LET US BREAK THE BONDS OF SO MANY VICTIMS OF OUR MERCENARY PRINCIPLES, SHOULD WE EVEN BE OBLIGED TO DISCARD A COMMERCE WHICH IS FOUNDED ONLY ON INJUSTICE, AND WHOSE OBJECT IS LUXURY.

But even this is not neceſſary.—There is no occaſion to give up thoſe conveniences which cuſtom hath ſo much endeared to us.—We may draw them from our colonies, without peopling them with ſlaves.—Theſe productions may be cultivated by the hands of *freemen*, and then be reaped without remorſe.

The iſlands may be filled with blacks, whoſe fetters have been broken. They will ſucceſſively clear the ſmall plantations given them, or which they have acquired by their induſtry.—Such of theſe unhappy men, as ſhould recover their independence, would live in quiet upon the ſame manual labours, that would be then free and advantageous to them.—The vaſſals of Denmark, who have lately been made free, have not abandoned their ploughs.

Is it then apprehended, that the facility of acquiring ſubſiſtence without labour on a ſoil naturally fertile, and of diſpenſing with the want of clothes, would plunge theſe men in idleneſs?—Why then do not the inhabitants of Europe confine themſelves to ſuch labours as are of indiſpenſible neceſſity?—Why do they exhauſt their powers in laborious employments which tend only to the ſenſual gratifications of a frivolous imagination?—There are amongſt us a thouſand profeſſions, ſome more laborious than others, which owe their origin to our inſtitutions.—Human laws have given riſe to a variety of fictitious wants, which otherwiſe would never have had an exiſtence.—By diſpoſing of every ſpecies of property according to their capricious inſtitutions, they have ſubjected an infinite number of people to the imperious will of their fellow-creatures, ſo far as even to make them empty our ordure for ſubſiſtence.—We have amongſt us beings, formed like ourſelves, who have conſented to inter themſelves under mountains, to furniſh us with metals and with copper, perhaps to poiſon us: why do we imagine that the negroes are leſs dupes and leſs fooliſh than the Europeans?

At the time that we gradually confer liberty on theſe unhappy beings as a reward for their œconomy, their

good

good behaviour, and their induſtry, we muſt be careful to ſubject them to our laws and manners, and to offer them our ſuperfluities.—We muſt give them a country, give them intereſts to ſtudy, productions to cultivate, and an object adequate to their reſpective taſtes, and our colonies will never want hands, which being eaſed of their chains, will be more active and robuſt.

The ſlave-trade has been prohibited by our legiſlature. —Slavery, it is probable, will alſo ſoon be aboliſhed in our iſlands, by the ſame active benevolence of the beſt of men.—The whole country offer up their prayers for the ſucceſs of his laudable endeavour; and the univerſe muſt ever admire that patriot who has, with infinite perſeverance and difficulty, always ſtruggled to promote the welfare and happineſs of the human race.

How beautifully does COWPER expreſs himſelf on this ſubject—

I would not have a ſlave to till my ground,
To carry me, to fan me while I ſleep,
And *tremble* when I wake, for all the wealth
That ſinews bought and ſold have ever earn'd.
No: dear as freedom is, and in my heart's
Juſt eſtimation priz'd above all price,
I had much rather be myſelf the ſlave,
And wear the bonds, than faſten them on him.

WE HAVE NO SLAVES AT HOME, THEN WHY ABROAD?
AND THEY THEMSELVES ONCE FERRIED O'ER THE WAVE
THAT PARTS US, ARE EMANCIPATE AND LOOS'D.
SLAVES CANNOT BREATHE IN ENGLAND; IF THEIR LUNGS
RECEIVE OUR AIR, THAT MOMENT THEY ARE FREE;—
THEY TOUCH OUR COUNTRY, AND THEIR SHACKLES FALL.
THAT'S NOBLE, AND BESPEAKS A NATION PROUD
AND JEALOUS OF THE BLESSING. SPREAD IT THEN,
AND LET IT CIRCULATE THROUGH EV'RY VEIN
OF ALL YOUR EMPIRE, THAT WHERE BRITAIN'S POWER
IS FELT, MANKIND MAY FEEL HER MERCY TOO.

Thanks be to God, through the perseverance of Mr. WILBERFORCE, this blot has been wiped away from the annals of our country.

THE END.

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AND

THE LAWS

OF THE

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WITH

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SANCTIONS.

1. THUS have we given a brief analysis of the MEDICAL EXTRACTS, which will be found of the highest use to all those, who are desirous of PRESERVING, or REGAINING, the INVALUABLE BLESSING OF HEALTH.

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FROM THE ENGLISH REVIEW.

2. Since the introduction of every new branch of science (viz. the application of factitious airs to the frame, called the PNEUMATIC MEDICINE) is much assisted by a clear and explicit elucidation of the particular grounds and circumstances that have led to its application, in this point of view the MEDICAL EXTRACTS will be found extremely useful and important. The ingenious author has here traced with equal brevity and clearness the different CHEMICAL DISCOVERIES which bear any relation to the institution of PNEUMATIC PRACTICE: and collected, with much attention and industry, THE MOST USEFUL LABOURS of the MOST ENLIGHTENED of the faculty, which, by the assistance of notes, alterations in the text, and a methodical arrangement, he has formed into an excellent body of medical instruction of the highest utility and importance, capable of being easily understood by every one. In making his selection he has displayed

played sound judgment, and great attention to utility; the materials are neatly arranged, and even adorned with uncommon elegance of language.

From the Analytical Review.

3. In concluding our review, we must observe that the very able author of Medical Extracts has rendered an important service to the profession and mankind in general, by bringing into a more connected point of view, and affording a more clear and satisfactory detail of, the numerous facts and reasonings which form the basis of the present improved state of medical science.

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By Doctor Pegg, Professor, and Reader on Anatomy, at Oxford.

6. In my Hints on Animation, published in the year 1783, I ventured to predict that medicine would derive considerable advantage from the introduction of Vital Air, and the advantage has exceeded my most sanguine expectation: and we all feel ourselves greatly indebted to

you for your indefatigable exertions, and the elegant and instructive work you gave us, called MEDICAL EXTRACTS.

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7. Dr. BEDDOES' Considerations on the Medicinal Powers of Factitious Airs, Mr. Townsend's Guide to Health, Dr. Trotter on Scurvy, with the MEDICAL EXTRACTS, contain many facts, proving not only advantage to have been derived from respiring different FACTITIOUS AIRS, but that the most permanent and extensive benefits have also been obtained by diet, and medicines, exhibited by the stomach upon the new principle of chemistry.

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8. The bites of venomous animals are only to be effectually cured by scarifications, compresses, or the knife. But when PNEUMATIC CHEMISTRY shall have made a progress in the world, and philosophic practitioners shall have explained, how poisons produce their wonderful effects by DISOXYGENATING THE BLOOD, as is attempted by the judicious author of MEDICAL EXTRACTS, we may then expect to cure even without the assistance of the surgeon.

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THE NEW ILLUSTRATION

OF

THE SEXUAL SYSTEM

OF

LINNÆUS.

BY

ROBERT JOHN THORNTON, M.D.

LATE OF TRINITY COLLEGE, CAMBRIDGE; LECTURER ON MEDICAL BOTANY AT GUY'S HOSPITAL; ONE OF THE COUNCIL, IN THE BOTANICAL DEPARTMENT OF THE LONDON MEDICAL SOCIETY; PHYSICIAN TO THE GENERAL DISPENSARY; HONORARY MEMBER OF THE PHYSICAL AND MEDICAL SOCIETIES OF GUY'S AND BARTHOLOMEW'S HOSPITALS; MEMBER OF THE LYCEUM MEDICUM LONDINENSE, ETC.; AUTHOR OF MEDICAL EXTRACTS ON THE NATURE OF HEALTH; THE POLITICIAN'S CREED, OR POLITICAL EXTRACTS; AND OF LETTERS TO DR. BEDDOES, ON THE THEORY AND PRACTICE OF PNEUMATIC MEDICINE.

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until

until the root, stem, branches, and leaves are formed. We shall here chiefly dwell on the Anatomy of the root, their diversity of forms, and office. The object of our next consideration will be to display the organized structure of the stem and branches, when we shall consider the several juices of plants, with the motion of the sap. Pursuing the course of Nature, we shall next contemplate the various appendages attached to the stems and branches, explaining the organization and design of each. Next we shall examine into the structure and variety of leaves; their relationship to light; the evolution from them of Oxygen, and other airs. Our next inquiry will be the food of plants, when we shall enter widely into the consideration of the principles of agriculture. Arriving at the flower, we shall consider its structure; the uses of the several parts which compose it; when a full inquiry will be made respecting the Sexual relationship, with a refutation of the objections which have been raised against this doctrine. Thus far the Natural History of Botany. We shall next lay before our readers an account of the origin of Systems, when those of Rivinus, Tournefort, &c. will be given, with a full explanation of the Sexual System of Linnæus. In the order of the discoveries, the lives of the several eminent Botanists will be comprehended, with their Portraits, including the most celebrated Professors and Botanical Writers of the present day. After this introduction, we shall commence with a translation of the Genera of Plants of Linnæus, to which will be added all the late discoveries made since his time. In order to render the Science of Botany as simple as possible, the classes of Linnæus will be reduced to twelve, his Genera new arranged, and Tables given, invented by

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